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# Chronicle of Events.

## January 1929.

- 1 Jan. '29 The Delhi Muslim All-Parties Conference—In support of the resolution demanding retention of separate electorates Maulana Mahomed Ali advised Mussalmans not to be afraid of the Hindu majority as in all their religious battles in the past one moslem had overpowered three "Kafirs." The Bengal Progressive Party Conference sponsored by Mr. J. N. Gupta held in Calcutta under the presidency of S. J. Hirendranath Dutta—The "aim" of the Party being to work for the political uplift of the country by educating ignorant masses and solving the problems of ill-health and appalling mortality. The All-India Utkal Conference held in the Congress pandal, Calcutta under the presidency of Pt. Gopalabandhu Choudhury who urged unity as the only motto in every walk of life.
- 2 Jan. do. Sixteenth Session of the Indian Science Congress commenced at the Government House Madras, under the presidency of Prof. C. V. Raman and continued till the next week. Twelfth Session of the Indian Economic Conference held at Mysore under the presidency of Prof. V. G. Kale.
- 3 Jan. do. Third All-India Women's Conference on educational reforms held at Patna under the presidency of H. H. the Dowager Rani of Mau. Students' Strike in the Gujrat College, Ahmedabad arising out of a notice put up by the Principal asking those students who remained absent on the day of the arrival of the Simon Commission in India to pay a fine of Rs. 3 and to re-appear for the examination.
- 7 Jan. do. A statement issued by Dr. Ansari and a number of other prominent leaders protesting in strong terms against wholesale and indiscriminate "arrests and torture and tyranny" alleged to be perpetrated on young students and prominent nationalists in the Punjab in connection with the Saunders' murder.
- 10 Jan. do. In a statement to the Press Mr. Mahomed Yakub, an active member of the Delhi All-Parties Conference, declared that many Mussalmans including himself were in favour of joint electorates and that under a democratic constitution the majority was bound to rule whatever safeguards might be provided for the minorities.
- 11 Jan. do. Seventh annual Convocation of the Gujrat Vidyapith held at Ahmedabad—Mahatma Gandhi exhorted the students to strive for the deliverance of the country from her miseries; the object of their education should be deliverance. A very brilliant address delivered by Mrs. Kamaladevi Chattopadhyaya in Calcutta advocating the claims of women as equal of men in the social, political and educational advancement of the country.
- 12 Jan. do. The members of the Simon Commission and the Central Committee arrived in Calcutta early morning contrary to the expectation of the Congress Committee which organised a huge boycott demonstration. Lucknow Municipal election—Mrs. Shuntidevi Mitra, Lucknow's first woman to aspire to Municipal Commissionership returned at the head of poll securing over 70 per cent of total votes cast.

- 14 Jan. '29 First Session of the South Indian States People's Conference met at Trivandrum under the distinguished presidentship of Sir M. Visvesvaraya. Abdication of King Amanulla of Afghanistan in favour of his elder brother Prince Inayatulla—The King's reform programme which was noble but drastic was made an excuse for revolting against his authority. To pacify the wild elements, the King was ready to cancel his programme, but the rebel subjects insisted on his divorcing the Queen and banishing the Taimi family. King Amanulla kicked the Throne for his Queen. Thus he made history unique by a King's fall for the cause of democracy.
- 15 Jan. do. Giving evidence before the Simon Commission in Calcutta on behalf of the Associated Chamber of Commerce, Sir George Godfrey said that on the question of the transfer of Law and Order to a Minister the Associated Chambers had not come to any unanimous finding, but the majority of Chambers had expressed themselves in favour of the transfer.
- 16 Jan. do. Before the Age of Consent Committee at Allahabad, Sir Tej Bahadur Sapru opines 21 for boys and 18 for girls as the minimum age for marriage. He would do away with Mullahs and priests and Shastras and orthodoxy as being the greatest enemy of social reform.
- 17 Jan. do. King Inayatulla of Afghanistan forced to abdicate after a three days' rule—Bach-i-Sakao, the rebel leader, occupied Kabul and assumed supreme power under the title of Habibullah Ghazi. Opening Day of the C. P. Legislative Council at Nagpur.—Swarajists absent during Governor's opening address.
- 18 Jan. do. C. P. Council—Resignation of Messrs. Raghavendra Rao and T. J. Kedar, Ministers—Government took charge of transferred departments. The Hilton-Young Commission Report on the closer union of Eastern and Central Africa published at Delhi—The Commission recommended the establishment of a High Commissioner with executive powers over Kenya, Uganda, Tanganyika as preliminary to the appointment of a Governor-General whose function will be to secure common policy on matters affecting the present and future development of natives and their relations with immigrant communities. At the Alwar Jubilee H. H. the Nawab of Bhopal declared that the Indian Princes sympathised with the aspirations of the Indian people and were not opposed to the democratic form of Government and did not want to stand in the way of political advance—The Maharaja of Alwar replying to the many tributes said "Let it be said that each one of us played our game, whether Princes or whether ordinary people, and that all were united, as we are at the present moment, in our prayer in making this India the great heritage that our forefathers have sent down to us."
- 21 Jan. do. Ex-King Amanulla of Afghanistan officially rescinded his abdication and assumed supreme power at Kandahar to regain his throne from the rebel Chief Bach-i-Sakao who was now occupying Kabul.
- 23 Jan. do. King Amanulla's preparation to quell rebellion—Statement issued by Indian leaders warning the Government of India against "any political or military intervention in Afghanistan which would in any way tend to violate the independence of the country.
- 24 Jan. do. Mahatma Gandhi's scheme for the boycott of foreign cloth and door to door campaign submitted to the working committee of the Congress.
- 26 Jan. do. Strong opposition to the Trades Disputes Bill at the M. S. M. Ry. Employees Conference at Madras—Drastic modifications urged. Eighth Session of the Andhra Students' Conference held at Masulipatam under the presidency of Mr. K. Chaudy.
- 27 Jan. do. The Hindusthan Seva Dal Conference in Calcutta gave a happy lead to the country by suggesting that the last Sunday of every month should be observed as Flag Day when the National flag should be hoisted at all convenient places at 8 A.M. punctually; January 27th being the last Sunday in January was observed as Flag Day in a large number of places.

- 28 Jan. '29 Opening day of the Winter Session of the Legislative Assembly at New Delhi:—Viceroy's speech reviewing the political situation—Appointment of Royal Commission to review labour conditions announced—"Declaration of 1917 stands as solemn pledge of British people to India." Opening day of the U. P. and Madras Legislative Councils at Lucknow and Madras respectively.
- 29 Jan. do. Pt. Motilal Nehru's comment on the Viceroy's Assembly speech:—"The door of negotiation is not closed. There is yet ample time for a free exchange of opinion on terms honourable to all, provided the will for such a free exchange is there". In the Assembly Mr. M. K. Acharya's amendment for the postponement of the consideration of the bill until the Age of Consent Committee's report was published, carried by 53 against 44 votes; official members making common cause with the oppositionists of the bill.
- 30 Jan. do. In the Assembly the President by his casting vote caused the rejection of the resolution moved by Kumar Ranajaya Singh, urging giving immediate effect to the recommendations of the Cinema Enquiry Committee Report by the introduction of legislative measures requiring the compulsory registration of persons and companies engaged in producing, exhibiting, distributing and importing films or owning or controlling cinema houses, the predominance of the Indian element being assured in all such concerns. Mahatma Gandhi sounded a warning note to students at Ahmedabad on the futility of meetings and advised them to ply the Charka or hawk Khaddar.

## February 1929

- 3 Feb. do. Kidnapping scare in Bombay—Pathans victimised as the result of a rumour that they were kidnapping children—The police came in conflict with angry Hindu crowds which were attacking the pathans. Students' Day celebrations throughout Bengal with processions and meetings.
- 4 Feb. do. Opening Day of the Winter Session of the B. & O. Legislative Council at Patna.—Opening Day of the Cold Weather Session of the Bengal Legislative Council in Calcutta. In the Assembly Government re-introduced the Public Safety Bill and moved its reference to a Select Committee—Dr. Moonjee's resolution for Compulsory Military Training in Schools and Colleges approved by the Army Secretary.
- 5 Feb. do. The House of Commons passed the first reading of the Indian High Courts Bill which equalised the position of Barristers, Advocates and Pleaders regarding qualification for appointments as Judges of High Courts. Serious communal riots in Bombay arising out of the Pathan kidnapping scare of 3rd February—Not within living memory in India had there been so terrible and prolonged violent strife between Mahomedans and Hindus, necessitating the calling out of military and troops to fire on huge moslem mobs which refused to disperse—The riot continued till the 12th resulting in 137 killed and 783 injured according to official report. Lively debate on the Public Safety Bill in the Assembly—Dewan Chamanlal's challenge to Home Member that "the bill was introduced last session but was not passed. Four months have since passed but nothing like destruction of society has come to pass."
- 6 Feb. do. B. & O. Council—Resolution for extending franchise to women carried by a large majority. The Gujarat College Students' strike ended in a victory for the students—Government cancelled fine on students. Debate on the Safety Bill continued in the Assembly—Pt. Motilal unequivocally declared the bill as a direct attack against Indian Nationalism and the Indian National Congress.

- 7 Feb. '29 Mr. B. Sambamurti, a member of the Working Committee of the A. I. C. C. arrested at Bizwada. No warrant was shown but he was subsequently charged under S. 124 A, 153 A, and 156 of I. P. C. In the Assembly the 2nd reading of the Public Safety Bill passed by a majority of eleven votes. An unusually large number of Congress members was absent at the time of the critical division. The bill was one of the most important repressive measures brought forward and the Congress had specially condemned it.
- 8 Feb. do. In compliance with the resolution of the Congress calling upon all Congressmen to contribute a certain percentage of their incomes to the Congress funds, Pandit Motilal Nehru, President of the A. I. C. C. paid Rs. 1130 so far to the All-India Congress Committee office. He informed the office that the amount represented a percentage of his income since the resolution was passed. Serious Hindu Muslim riot in Bombay arising out of the Pathan kidnapping scare.
- 9 Feb. do. Pabna Youth Conference—Mr. Subhas Chandra Bose's inspiring address on the ideal of the Youth to create new society and new nation and on the need of national priests to infuse new life to build a new nation.
- 11 Feb. do. Bengal Council—Swarajist victory in carrying resolutions urging committees to examine inland steamer services and to enquire labour conditions. B. & O. Council—Presentation of Budget for 1929-30. Eighth Session of the Chamber of Princes opened at New Delhi by H. E. the Viceroy in which the Press was admitted—The Maharaja of Patiala upon whose suggestion the decision was made to lift the veil of "mystery and secrecy" from the proceedings said that such a step "proclaims to the world in a most effective manner that the Order of Princes has nothing to conceal." The Maharaja of A'war supporting the proposal feared that it might cause free debate in the Chamber to suffer. In the Assembly official motion to refer the Trades Disputes Bill to a Select Committee carried.
- 12 Feb. do. In the Assembly Mr. Chetty's Bill validating Hindu women's right to inherit property as amended by the Council of State carried in the teeth of orthodox opposition.
- 13 Feb. do. In the Assembly Home Member's statement on the Bombay riots—137 dead and 783 injured.
- 15 Feb. do. At the annual meeting of the Indian Chamber of Commerce in Calcutta, Mr. Fazlulla Gangjee presiding dwelt on the gloomy agricultural conditions in India and demanded banking autonomy for India. In the Assembly a heated debate took place over a resolution asking the Government-General to inform His Majesty's Government that the House besides resenting the insulting reply of Earl Winterton, believed that the police accelerated the death of Lala Lajpat Rai and that the Boyd Enquiry Committee was instituted deliberately to justify and whitewash the crimes committed by the police. In the Assembly Dr. Moonje's resolution for compulsory physical training and miniature rifle practice for students between 12 and 20 years of age accepted by the Government.
- 16 Feb. do. The Second Session of the Madras Depressed Classes Conference met at Madras under the presidency of Mr. N. Sivaraj—The President said "I wish to make it quite clear that nothing is farther from our minds than to checkmate the political progress of India, by bringing the distressing state of our condition to the forefront.....If responsible Government in the provinces must be given what we ask for is that we may be given special protection and a definite share till such time as we need it." The Madras Youth Conference held at Madras under the presidency of Mr. T. Prakasam accepted complete independence as the political goal of India.

- 18 Feb. '29 Black Flags greeted the arrival of the Simon Commission at Madras—Barring European firms complete hartal was observed in the city peacefully—The police were evidently in a state of panic in as much as they arrested on the eve of the boycott day Messrs. Konda Venkatappaya, K. V. R. Swami, M. Annapurniah and Punnaih Sastri and, it was alleged, kept away the students from the demonstration by assaulting some of them.  
Presentation of Budget in the U. P. Council—Surplus of 42 lakhs; loss of half a crore owing to crop failure.  
Working Committee meeting at New Delhi adopted a scheme for the boycott of foreign cloth and authorised picketing of shops.
- 19 Feb. do. President Patel's tea party at New Delhi to the Viceroy and Mahatma Gandhi and other party leaders. Strict secrecy was observed regarding the informal talks, but it was understood that the conversations referred to the political issues raised by the Calcutta Congress and the communal riots in Bombay and communal differences generally and the political, religious, social and economic causes which were keeping up the communal differences.  
Railway Budget presented in the Assembly—Gain of 10 and three-fourth crores on commercial lines—Reduced third class fares on the E. B. Railway.
- 20 Feb. do. In the Assembly Mr. Haji's bill for the abolition of deferred rebates in the Indian coasting trade referred to a Select Committee.
- 21 Feb. do. Bengal Council—No-Confidence motion against Ministers on the alleged charges of corruption and jobbery carried.
- 23 Feb. do. Dr. B. S. Moonje called a meeting of leading persons in pursuance of the object of forming miniature rifle clubs and in order to start organizing an inter-collegiate miniature rifle club in Delhi.  
In the Assembly, during the discussion of the Railway Budget, Mr. Jannadas Mehta's cut motion protesting against the appointment of an additional member on the Railway Board defeated.
- 24 Feb. do. Fourth All-India Depressed Classes' Conference held at Madras under the presidency of Mr. B. C. Mandal.
- 28 Feb. do. Budget for 1929-30 presented in the Assembly—Estimates for ensuing year showed a deficit of 90 lakhs.

## March 1929.

- 2 Mar. do. Bombay Council—During debate on excise demand Government censured on its anti-prohibition measures.
- 3 Mar. do. A meeting of the Council of the All-India Muslim League held at New Delhi with a view to amalgamate rival organisations.
- 4 Mar. do. Mahatma Gandhi with others arrested in Calcutta for setting fire to a collection of foreign cloth in disobedience of an order under the Calcutta Police Act. The arrest gave a great impetus to the movement for the boycott of foreign cloth and all over the country bonfires of foreign cloth were made.
- 6 Mar. do. A campaign of social boycott in furtherance of the Congress programme for discarding foreign cloth was hinted at by Mr. Subhas Chandra Bose at a public meeting in Calcutta. He stated that if they could enlist 5 lakhs of Congress members in Bengal, raise Rs. 2 lakhs and train 1000 workers in every district, they would accomplish a complete boycott of foreign cloth in six months.  
In the Assembly the Tariff Bill passed without any change.
- 7 Mar. do. B. & O. Council—Swarajist motion of censure on Minister Sir Ganesh Dutt Singh defeated.  
The U. P. Council adopted a token cut on the police demand as a protest against the imposition of a punitive police tax. Several members maintained that the police fomented communal troubles.

- 7 Mar. '29 In the Assembly referring to M. Gandhi's arrest Mr. Ramnarayan Singh asked if the Government was aware that M. Gandhi was the greatest saviour of British life in the country.—No answer was given.  
In the Assembly Government's heavy defeat on salt demand on the issue of making India self-supporting in salt supply.  
In the Commons Earl Winterton's misleading statement that M. Gandhi was not arrested but simply informed that he would be prosecuted for burning foreign cloth in a public square.
- 8 Mar. do. Mahatma Gandhi's arrival in Rangoon—Beginning of his Burma tour to convey India's goodwill and message of peace.  
Punjab Political Conference held at Rohtak under the presidency of Dr. Satyapal called for volunteers to prepare for civil disobedience.  
Mr. B. Sambamurti sentenced to one year's imprisonment on his refusal to sign a bond for Rs. 1000 under section 108 Cr. P. C.
- 9 Mar. do. C. P. Marathi Political Conference held at Nagpur under the presidency of Mr. K. F. Nariman.
- 10 Mar. do. In response to the Congress Working Committee's resolution vigorous demonstrations were held all over India on this day and on the 27th.—processions and meetings took place in the towns and villages and in view of M. Gandhi's arrest, a special feature was made of bonfire of foreign cloth.
- 12 Mar. do. In the Assembly a full dress debate on the constitutional issue on Pandit Matilal Nehru's motion that the entire demand for the Viceroy's Executive Council be reduced to rupee one ended in the Government suffering a defeat.  
Mr. Manoranjan Gupta, an A. I. C. C. member, arrested at Bezwada—He was not informed of any charges against him and although he was in bad health was not let out on bail.
- 13 Mar. do. Annual meeting of the Bombay Millowners' Association in Bombay under Mr. J. B. Petit—Labour leaders blamed for fomenting strikes.
- 14 Mar. do. Arrival of the Simon Commission at Nagpur. A large crowd of demonstrators numbering 3000 shouted "Simon Go Back" and waved black flags during the Commission's drive through the streets.
- 15 Mar. do. In the Assembly Government sustained two heavy defeats, one with regard to the Army policy and the other in connection with its failure to introduce reforms in the N. W. F. Pr.
- 17 Mar. do. In obedience to Congress mandate Khadi Day and bonfire of foreign cloth celebrated in Calcutta, Madras, Delhi and other places.
- 18 Mar. do. In the Bengal Council the excise policy of the Government was criticised. Government charged with aiding and abetting corruption and administering poison to the people.
- 19 Mar. do. The Secretary of State invited H. E. the Viceroy to come to England in June next for personal discussion.  
In the Madras Council Government censured for its callous treatment to political prisoners—A Swarajist cut motion in the demand under Ministers' salaries defeated.  
In the U. P. Council the Swarajist motion for reduction of the salaries of Ministers declared lost.
- 20 Mar. do. Wholesale arrests of officials connected with the Labour movement in India were made in Calcutta, Bombay, Madras, Lucknow, Poona, Chandpur and Allahabad under Section 121 (A) of the I. P. C. which deals with conspiracy to wage war against the King-Emperor. The arrests were made at the instance of the District Magistrate of Meerut. Searches were also made at various offices and houses at Cawnpore, Kushtia and Dacca, but no arrests were made.  
The President of the Assembly adjourned its sitting in consequence of disorderly scenes and the thumping of table by the Opposition while the Finance Member rose to speak. By this means the Opposition wished to teach a lesson that gagging of non-official members by the Treasury Benches by deliberate obstructionist tactics against which the President was powerless was a game at which two can play.



- 21 Mar. '29 In the Madras Council a Swarajist motion expressing want of confidence in the Ministers rejected.  
In the Legislative Assembly and in Bengal Council leave was asked to bring in motions for adjournment of the House to discuss the policy behind the wholesale raids and arrests which took place on 20th March. The Presidents of both Legislatures granted leave but it was disallowed by the Viceroy and Governor respectively.
- 22 Mar. do. Allegations that lawyers practising in the Calcutta High Court were not treated by the Judges with becoming respect were made in the Bengal Council by Mr. B. K. Bose. Mr. Bose said that the other day a certain Judge asked whether it would be libel to say that all lawyers were rogues. Mr. Bose lamented that he was not present to make a suitable retort. On another occasion a Judge said the lawyers had exploited a case. The Police at Bombay dispersed by baton charges a procession under Mr. Ginwala of 5000 G. I. P. Railway Workmen held in protest of the arrest of Mr. Jhabwala and other Labour leaders.—Protest meetings were held throughout India condemning Government for this particular policy of repression directed against the Trade Union movement.  
Bengal Council—Motion for refusal of Ministers' salaries defeated.
- 24 Mar. do. Ten thousand people attended a meeting in Calcutta which was addressed by Mahatma Gandhi after his return from Burma tour. In response to his appeal to give up all foreign cloth, a regular shower of foreign cloth fell for nearly ten minutes. Before burning the pile was removed to private premises.
- 25 Mar. do. At the Bengal Provincial Hindu Sabha Conference in Calcutta a resolution declaring all Hindus to be Brahmmins was carried by an overwhelming majority.
- 27 Mar. do. Mahatma Gandhi along with four others fined one rupee by the Chief Presidency Magistrate at Calcutta for lighting a bonfire of foreign cloth at Shradhananda Park, which the Magistrate declared to be a public thoroughfare. The fines were paid by a local pleader.  
The Assam Council passed a motion of No-confidence in the Hon. Revd J. J. M. Nicholas Roy, Minister for Local Self-Government.  
Death of H. H. Sir Kishen Singh Bahadur, Ruler of Bharatpur State.—The Maharaja was a staunch nationalist. His spirited letter to the Viceroy protesting against the order banning him from his State will ever remain a tribute both to his loyalty to the Crown and to his independence of thought and ideas of self-respect.
- 28 Mar. do. In the Assembly the Salt Tax was restored and the Finance Bill was passed.
- 29 Mar. do. "It is no use simply blaming the Government for the Arms Act; Bengal and India have been enslaved over and over again owing to internal differences", declared Sj. Sarat Chandra Chatterjee in his Presidential Address to the Youth Conference at Rangpur. A merciless society, a loveless religion, existing communal and caste relations, economic inequality and heartless treatment of womanhood were all, he added, responsible for their present state.
- 30 Mar. do. Marriage reform in Baroda State—A draft bill introduced in the State dealing with the admissibility of divorce and dissolution of marriage. A special note said that as custom permitted the right of divorce in some cases of Hindus and forbade it in others, it was necessary to provide the latter class of persons with the legal means of divorce.  
U. P. Provincial Political Conference held at Farrukhabad under the presidency of Sj Ganesh Shankar Vidyarthi.  
U. P. Liberal Conference held at Lucknow under the presidency of Mrs. Besant declared in favour of foreign cloth boycott.  
Bengal Provincial Conference held at Rangpur under the presidency of Mr. Subhas Chandra Bose appealed for boycott of foreign cloth and curtailment of jute cultivation.  
The first Berar Provincial Conference held at Yeotmal under the presidency of Mr. N. C. Kelkar declared communism antagonistic to Indian culture.

- 30 Mar, '29 Twelfth Session of the All-India Hindu Mahasabha held at Surat under the presidency of Mr. Ramananda Chatterjee  
The adjourned twentieth Session of the All-India Muslim League held at Delhi under the presidency of Mr. M. A. Jinnah.  
Kathiawad Political Conference held at Morvi under the presidency of Sardar Vallabhbhai Patel  
Third Session of the Utkal Provincial Conference held at Balasore under the presidency of Sri Gopabandhu Das
- 31 Mar. do. Heated debate took place in the Bengal Provincial Conference at Rangpur regarding a resolution urging the abolition of caste distinction and an amendment that every Hindu should be declared a Brahmin. The motion adopted after a lengthy discussion  
Stormy scenes at the Muslim League Session in New Delhi on the Nehru Report Resolution—The League broke up in haste, a considerable number of members having withdrawn  
U. P. Social Conference held at Lucknow under the Presidency of Mrs. Uma Nehru urged the raising of marriage age for girls to 16 years.

## April 1929.

- 1 Apl. do. Berar Provincial Conference held at Yeotmal under the presidency of Mr. N. C. Kelkar  
All India Depressed Classes' Uplift Conference held at Surat under the presidency of Dr. N. D. Savarkar  
Hoisting of National Flag at the Vellore Municipal office by Dr. Varadarajulu Naidu.
- 2 Apl. do. Sensation created in the Assembly by President Patel's suggestion that the Public Safety Bill should be postponed till the Meerut trial had concluded or the prosecution was withdrawn, as the discussion of the Bill could not proceed without referring to sub-judice matter  
In the Bengal Council when a motion for grants for the Agricultural Department was made, the Opposition proposed a cut suggesting the desirability of forming a jute board to help the ryots in respect of technical advice, marketing facilities and so on. "It is notorious that the producer of jute, the hard working cultivator, does not get a fair share either of the profits from the jute industry or of those conveniences by way of cheap credit and expert advice which the jute manufacturer and jute merchant enjoy".  
The Annual Conference of the Independent Labour Party held in London condemned the repressive policy of the Government of India and pledged itself to work for bringing about the recognition of the right of India to self-determination
- 3 Apl. do. Labour trouble at the Triplicate Works at Tatanagar owing to the Company's alleged refusal to live up to the terms of settlement.
- 4 Apl. do. Referring to the arrests of Labour leaders Mahatma Gandhi condemned the Government policy as presaging a period of terrorism.  
In the Assembly Government refused to accept the President's suggestion on the Public Safety Bill.  
Labour trouble in Bangalore—Scuffle between mill labourers and police resulting in injuries to many on either side.
- 5 Apl. do. An important resolution urging the grant of Dominion Status for India was moved by Sir Tej Bahadur Sapru at a meeting of the Liberal Conference at Allahabad. The resolution was unanimously adopted.  
The Assembly in a tense atmosphere discussed the Government's refusal to accept the president's suggestion that the discussion on the Public Safety Bill should be deferred owing to the pending Meerut Trial. The two main issues for discussion were whether under the existing circumstances any reasonable debate on the bill was possible and the President's power to withhold consideration of the Bill.
- 6 Apl. do. The first air mail from Croydon arrived at Karachi at seven o'clock in the evening occupying just over seven days in completing 5,000 miles' journey.

- 9 Apl. '29 Mahashay Rajpal, the author of Rangila Rasul and prominent Arya Samaj worker murdered in his shop at Lahore by a muslim.  
National Week in memorium of the Jallianwala Bagh massacre celebrated with the hoisting of National Flags, meetings and processions.
- 8 Apl. do. The Trades Disputes Bill passed by the Assembly by 56 votes to 38.  
Bomb outrage in the Assembly—Business brought to a dramatic conclusion by the throwing of 2 bombs from the Strangers' Gallery followed by 2 revolver shots. The outrage occurred just after the Trades Disputes Bill had been passed and when the President was about to rise to give his ruling to the Public Safety Bill. Red Pamphlets headed "Hindusthan Socialist Republican Army" were thrown along with the bombs. Two men Batukeshwar Dutt, a Bengali, and Bhagat Singh of Punjab were arrested.
- 10 Apl. do. For the fourth time in five years Mr. J. M. Sen Gupta elected unopposed Mayor of Calcutta—The Mayor's resolve to stand by Deshbandhu's programme.
- 11 Apl. do. 'The Government's statement is a challenge to the Chan and undermines its authority'—with these words Mr. Patel President of the Assembly ruled the Public Safety Bill out of order. The President claimed that he exercised direct influence over legislative action in the House and was convinced that any debate on the bill during the pendency of the M. C. trial would be a fraud and farce.—The Government refused to give up either the Bill or the trial and the Viceroy promulgated an Ordinance embodying the Public Safety Bill.
- 12 Apl. do. Addressing the Assembly on the President's ruling on the Public Safety Bill, the Viceroy said that he would issue an Ordinance embodying the Public Safety Bill and secure amendments to Legislative rules thereby preventing interruption of business by the Presidents of either Chamber. As a result of the passing of the no-confidence motion on Minister David Nichols Roy, the Governor dissolved the Assam Council and summoned fresh election.
- 13 Apl. do. Death of His Highness Maharaja Rana Sir Bhawani Singh, Ruler of Jhalawar on the P. O. Liner "Ranpura" while on his way to England for heart treatment.  
The Viceroy's Ordinance—A Gazette Extraordinary issued at New Delhi promulgated "an Ordinance to check the dissemination in British India from other countries of certain forms of propaganda under the title of the Public Safety Ordinance."—The Ordinance reproduced the Public Safety Bill as amended by the Select Committee.  
Sir John Simon and his colleagues on the Commission left Bombay for England on the completion of their work in India. No boycott demonstration or hartal marked their departure.
- 15 Apl. do. Naini Jail Riot Case—Severe strictures passed by the Chief Justice, Allahabad High Court on the prison officials. His Lordship held that one of the jailors was guilty of assault on prisoners; another failed to report the facts to the authorities, while the food supplied to the prisoners was of improper quality.
- 16 Apl. do. Publication of the Butler Committee report announced simultaneously in Simla and London.
- 20 Apl. do. As a sequel to the failure on the part of the Governor to find a Ministry which might command the confidence of the Council, the Bengal Legislative Council was dissolved and a general election summoned.  
The C. P. & Berar Hindu Sabha Conference, held at Akola under the presidency of Pt. Malaviya, pleaded for a Citizens Volunteer Corps.
- 22 Apl. do. His Majesty's Message to the nation in appreciation of public solicitude on his prolonged illness and recovery.  
Magistrate's Judgment in the Calcutta Shradhanand Park Bonfire Case convicting all accused to pay fines, in default to undergo a month's rigorous imprisonment.  
Dissolution of Bengal Legislative Council announced by the Governor.

- 23 Apl. '29 A Hindu-Moslem fracas occurred in Bombay during a procession organised by mil-hands in connection with "Hanuman Jayanti." Two Mahomedans died in hos pital as the result of injuries received.
- 24 Apl. do. Echo of Belur Train Disaster—Justice Buckland of the Calcutta High Court awarded Rs. 1 and half lakhs as damages in the suit against "forward" brought by the Secretary of State and the East Indian Railway—"No newspaper in India has probably such a record of suffering. Its editor had to go to jail on more occasions than one can remember. The "Forward" ceased publication, but on 2nd May another newspaper, the "New Forward," was issued. After a three days' existence this also was stopped by an injunction issued by the High Court. On May 5th, yet another newspaper, "Liberty," came into existence to keep the flag flying in Bengal."
- 26 Apl. do. Sixty-seven Cotton Mills in Bombay closed down following a general strike by the "Red Flag" Textile Workers' Union. Over 1,50,000 workers were affected. The strike leaders exhorted men to prolong the deadlock and thus beat the employers into submission. The chief grievance of the workers were said to be victimisation of the members and officers of their union and the employment of several thousand new non-union hands in place of union workers. The general strike with its wonderful discipline and organisation came as a surprise to most people. Nearly all the leaders of the Girm Kamdar Union which was controlling the strike were arrested for the Meerut case. Their arrest and removal did not seem to have affected the organisation or lessened the ardour and union spirit of the workers.  
Arrival of the Simon Commission in London—150 Indians who held a boycott procession were roughly handled and had their flags and emblems taken away by force by the police. Some of the boycotters were arrested and hauled up before Police Court charged with "insulting behaviour." They were subsequently released.
- 30 Apl. do. Raja Bhehecane Law in his Presidential Address at the annual meeting of the Bengal National Chamber of Commerce in Calcutta, opined that the burden of income-tax and super-tax was doing incalculable mischief to the development of industries in India.

## May 1929.

- 1 May do. Sir Stephen Demetriadi's solicitude for the "teeming millions" of India in the London Chamber of Commerce when he enunciated the doctrine of full-blooded imperialism and exploitation in reference to India, emphasised Britain's rights in India and declared that the vast bulk of Indians were not interested in self-Government and proclaimed "that the people of India had rights of which we were guardians."
- 2 May do. Another series of arrests and house-searches took place in various parts of the country, specially in the United Provinces.
- 3 May do. Dr. Satyapal, a leading congressman in Punjab, arrested under section 124 A and taken hand-cuffed to Delhi.
- 4 May do. All Kerala Hindu Conference held at Thirunavay under the presidency of Pt. Madan Mohan Malaviya.  
Seventh Session of the Maharashta Provincial Conference held at Bandra under the presidency of Sardar Vallabhbhai J. Patel.
- 5 May do. Second Session of the Mysore State Congress held at Bangalore under the presidency of Mr. M Venkatakrishnayya.  
A resolution passed by the Tamil Nadu Congress Committee at Madura under the presidency of Mr. S. Srinivasa Iyengar favouring acceptance of office by Congress members gave rise to heated controversy in Congress political circle.
- May do. Bombay Mill Strike—Round Table Conference between the Governor and representatives of the Millowners' Association and the Girm Kamdar Union broke down after having lasted nearly three hours. The chief point under discussion was the re-instatement of 6000 strikers.

- 7 May '29 The Mysore State Youth Conference held at Bangalore under the presidency of Mr. M. Venkatappa.  
The Assembly Bomb Case—Trial commenced in Delhi of the 2 accused charged with the offence of throwing bombs in the Assembly Hall.
- 9 May do. "The City of Meerut presented an extraordinary sight on May 9th. There were troops and police everywhere and no one could enter or leave the city without the closest scrutiny. It was like a state of siege and the residents of and visitors to Meerut did not have a very enjoyable time. The people are used to sudden displays of the might of the Empire. But still it was not quite clear why there was so much fuss on the 9th of May. It transpired subsequently that the nerves of the British officials had given way and they had feared a rising on the anniversary of the rising of 1857. The Mutiny of 1857 began in Meerut on the 10th May."
- 18 May do Sind Provincial Conference held at Karachi under the presidency of Dewan Chaman Lal pleaded for a "Land Pool" in Sind to ameliorate the poverty of the agriculturists.  
The Meerut Communist Conspiracy Case—Mr. Nariman's bail application on behalf of the accused rejected by the District Magistrate who remanded the case till 1st June.
- 20 May do. The Tamil Nadu Congress Committee at Madras reaffirmed the Madras resolution favouring acceptance of office by Congress members.
- 21 May do. The Bengal and Kerala Provincial Congress Committee condemned the policy of acceptance of office by Congressmen advocated by Mr. Satyamurti and others in Tamil Nadu.
- 23 May do. The Viceroy's announcement postponing to indefinite period the dissolution of the Legislative Assembly owing to the impending constitutional changes.
- 24 May do. Second Session of the Bundelkhand Muslim Conference held at Banda under the presidency of Moul. Mahomed Yaqub.  
All-India Congress Committee meeting in Bombay on this and the next day under the presidency of Pt. Matlal Nehru.
- 25 May do. The Second All-India States' Peoples Conference held in Bombay under the presidency of Mr. C. Y. Chintamani and concluded on the next day.
- 30 May do. Twelfth Session of the International Labour Conference commenced its session at Geneva.

## June 1929

- 1 June do. Arrests and house searches continued all over the country and were becoming regular features in the newspapers. Those arrested were often treated with extraordinary barbarity and "hand-cuffs were kept on continuously for days even inside the jail or lock-up. Some of them were wrapped in a thick burka or veil which almost suffocated them.
- 2 June do. Eighth Session of the Sind Students' Conference held at Bhivni under the presidency of Mr. G. N. Gokhale.
- 4 June do. The Assembly Bomb Case—Sessions trial opened at Delhi.  
Result of parliamentary general election—The Baldwin Ministry resigned—Labour assumed office.  
End of the Mamnad Bomb Case arising out of the alleged contemplated conspiracy to blow up the Simon special on its way to Poona. One of the accused who was heavily sentenced was puzzled when he heard the judgment and stated that he was a police informer "As an informant to the C. I. D. he had to pose as a friend of the people in order to draw out information."
- 6 June do. S. J. Ramananda Chatterjee, Editor of 'Modern Review' arrested in Calcutta on a charge of sedition in connection with the publication of the book 'India in Bondage' by Dr. Sunderland—Subsequently house searches for proscribed books and specially Mr. Sanderlal's recent "History of British Rule in India" continued all over the country. Mr. Jammalal Bajaj when called upon by the police to deliver his copy of the book refused to give it up.

### Mr. Ranga Iyer's Conduct.

The Committee considered the correspondence with Mr. C. S. Ranga Iyer regarding the notice issued to him to show cause why he should not be called upon to resign his seat in the Assembly. It was resolved that the matter be referred to the Congress Party in the Assembly for further action and that the Party be requested to report the action taken by them to the Working Committee.

### League Against Imperialism Congress

Resolved that the selection of a delegate to the next World Congress of the League against Imperialism be considered at the next meeting of the Committee.

### Pan-Asiatic Federation

With reference to resolution V of the Congress relating to the meeting of a Pan-Asiatic Federation in India in 1930 it was resolved that the Working Secretary and Mr. S. Satyamurti do take the necessary preliminary steps and submit a report.

### Treasurers

Resolved that Seth Jammalal Bajaj and Mr. Shivaprasad Gupta, Treasurers, be empowered to operate on the accounts already opened in the banks in the name of the All India Tilak Memorial Swaraja Fund either jointly or severally and further Seth Jammalal Bajaj and Mr. Shivaprasad Gupta are hereby empowered to appoint an attorney or attorneys either jointly or severally from time to time who shall either jointly or severally have exactly the same powers to operate on the All India Tilak Memorial Swaraja Fund accounts as are hereby granted to the said Seth Jammalal Bajaj and Mr. Shivaprasad Gupta. Provided however that the devolution of any of the said powers does not absolve the Treasurers from any personal responsibility to the Working Committee.

Resolved that Seth Jammalal Bajaj be the Working Treasurer.

### Foreign Department

The Working Secretary be authorised to take the necessary steps to organise a Foreign Department in accordance with the direction of the Congress.

### Future Programme

The Committee considered Res. XIV of the Congress relating to the future programme and with a view to give effect to it the following decisions were taken:—

(a) *Prohibition*—Resolved that Mr. C. Rajagopalachar be authorised on behalf of the Committee to suggest a scheme and appoint a committee to carry out the programme of prohibition mentioned in Clause (1) of the resolution.

(b) *Boycott of Foreign Cloth*—Resolved that Mahatma Gandhi be requested to prepare a scheme to be adopted by this Committee to bring about the boycott of foreign cloth through the Congress organizations.

(c) *Specific Grievances*—Resolved that the Provincial Congress Committees and Congress Parties in the Provincial Legislative Councils be requested to report as to what specific grievances, if any, exist in their respective jurisdictions which could be redressed by non-violent action, as was done recently at Bardoli.

(d) *Work in Legislatures*—It was resolved that clause (4) of the resolution on future programme be circulated to the Congress Parties in the Provincial Legislative Councils and Central Legislature.

(e) *Congress Organisation*—Resolved that a Sub-Committee consisting of the President and the General Secretaries be appointed to prepare a scheme for perfecting the Congress organisation.

(f) *Disabilities of Women*—That a Sub-Committee consisting of Sm. Basanti Devi, Mrs. Avantika Bai Gokhale (Convener) be appointed to prepare a scheme to give effect to clause (6) of the programme.

(g) *Untouchability*—Resolved that a Sub-committee consisting of Mr. C. Rajagopalachar (Convener), Seth Jammalal Bajaj and Mr. Rajendra Prasad be in charge of untouchability work.

(h) *Volunteer Organisation*—Resolved that Mr. Subhas Chandra Bose and Mr. Jawaharlal Nehru be asked to prepare a scheme for the organisation of volunteers in order to carry on work among the city labourers and for village reconstruction.

**Berlin Information Bureau**

The Committee considered Mr. Chittopadhyay's application for opening an Indian Students' Information Bureau in Berlin. It was resolved that the application be granted and that a sum of £30 per month be sanctioned for one year for organising the Bureau.

**NEW DELHI—3rd & 4th FEBRUARY 1929****League Against Imperialism**

The question of selecting a delegate for the World Congress of the League against Imperialism was considered. Owing to the difficulty of making a final choice at this stage the selection was left to the President and General Secretaries.

**Ajmer**

(i) A deputation from Ajmer consisting of Mirza Abdul Kadir Beg, Ghazi Mohiuddin, Mr. Aziz Ahmad Zuberi and Mr. Keshav Chandra Gupta waited on the Working Committee in regard to the supersession of the Ajmer Provincial Congress Committee. The Committee heard them at length. They pointed out to the Committee that the responsibility for irregularities in regard to the issue of delegates' tickets in Calcutta could not rest with the Committee as a whole. The responsibility was that of the Secretaries of the Committee who were in Calcutta at the time and therefore the whole Committee could not be blamed for it. The deputation was informed that the Working Committee had no intention of holding the whole Committee responsible for these irregularities. In view however of the fact that such irregularities do indicate a certain laxity of organisation in the Provincial Committee and the fact that the question of reorganisation of the Ajmer Provincial Congress Committee has long been considered desirable, the Working Committee were of opinion that immediate steps should be taken to bring about this reorganisation by holding fresh elections. The Committee hoped that all Congressmen in Ajmer will fully co-operate in this endeavour to reorganise and strengthen the Congress organisation in Ajmer.

(ii) A letter from Mr. Jamnadal Bajaj, dated 29th January, 1929, was placed before the Committee offering his resignation from the sub-committee appointed to reorganise Ajmer. In view of Mr. Jamnadal Bajaj's inability to act on the Committee it was decided that the two other members of the sub-committee, namely Mr. Girdharilal and Mr. Rafi Ahmad Kidwai, do proceed with the task of reorganisation of Ajmer in consultation with the Working Secretary.

(iii) The Committee were of opinion that many of the difficulties that had arisen in regard to Ajmer were due to the fact that a small territory was supposed to include within its sphere of activity the enormous area of Rajputana. In the opinion of the Committee this should be remedied by transferring some of the Indian States to other Provincial Committees. The Committee recommended accordingly to the All India Congress Committee.

**Affiliated Committees**

Resolved that the under-mentioned Committees recognised under Art. III (f) of the Constitution of the Congress be authorised to send the number of delegates mentioned and be required to pay the affiliation fees shown below:—

London Branch with subordinate committees in Great Britain,			
2 delegates	...	...	Rs. 100 annually
New York Branch with subordinate committees in America.			
2 delegates	...	...	" " "
Natal Indian Congress Committee, Durban	...	...	" " "
British Indian Association, Johannesburg	...	...	" " "
British Indian League, Cape Town	...	...	" " "
Point Indian Association, Durban	...	...	" " "
10 delegates for these 4 committees in South Africa.			
Kabul Congress Committee, 2 delegates	...	...	Rs. 50 annually
Goa Committee, 1 delegate	...	...	" 25 "

Resolved further that the delegates from these Committees be considered members of the Subjects Committee of the Congress and be authorised to take part in its proceedings.

#### Afganistan

The Committee has noted with anxious concern the recent internal troubles in Afganistan and the reactionary attempts made there to put an end to the reform introduced by King Amanullah. The committee whole-heartedly sympathises with the progressive elements in the country and wishes them all success in their endeavour to make Afganistan a united and progressive country.

#### Age of Marriage

The Working Committee deeply regrets that the attempt to raise the age of marriage has been checkmated by the Government which has deliberately obstructed our social progress. The Committee is convinced that social and economic advancement are intimately connected with political freedom and calls Congressmen to help the cause of such advancement.

#### Congress Organisation

The Committee calls Provincial Congress Committees immediately to recognise district and taluqa committees wherever necessary and to concentrate on the enrolment of members and volunteers till the 15th April. The Committee recommends that wherever possible branches of the Hindustani Seva Dal should be started and in addition lists should be prepared of volunteers who desire to help in the campaign for the boycott of foreign cloth.

Provincial Congress Committees are requested to send fortnightly reports of the progress made to the office of the All India Congress Committee.

The following members of the Working Committee are put in charge of the province or provinces mentioned and are requested to report to the All India Congress Committee office from time to time :

ASSAM AND BENGAL.	.	MR. SUBHAS CHANDRA BOSE
BEHAR AND UTKAL.	.	MR. RAJENDRA PRASAD
U P.	.	MR. SHIVAPRASAD GUPTA
PUNJAB AND N W F. PROVINCE.	..	MAULANA ABUL KALAM
		AZAD AND SARDAR
		SARDUL SINGH CAVER-
		SHAR
ANDHRA	.	MR. B. SAMPAMURTI
TAMIL NAD	..	MR. S. SRINIVASA IYENGAR
C. P. HINDI & C. P. MARATHI	...	MR. JAMNALAL BAJAJ
DELHI AND AJMER	...	DR. ANSARI

The President and General Secretaries are authorised to arrange in regard to other provinces.

#### Foreign Cloth Boycott

(i) The Committee desires to draw the attention of all importers of and dealers in foreign cloth to the programme laid down by the Calcutta Congress wherein special stress is laid on the boycott of foreign cloth. The Committee trusts that in the best interests of the country they will refrain from placing any further orders for foreign cloth and cancel all such orders already placed as can be cancelled. The Committee specially desires to make this appeal to all concerned to enable them to co-operate in the nation's resolve to boycott foreign cloth and to avoid the necessity, as far as possible, of having to picket shops dealing with foreign cloth.

(ii) Mahatma Gandhi's scheme for the Boycott of Foreign Cloth through khadi was considered. The Committee generally approved of the scheme. In regard to details and to the manner of giving effect to it the Committee considered it desirable that further consideration might take place at the next meeting when it is hoped Mr. Gandhi will be present. Meanwhile, the first part of the programme, namely the strengthening of the Congress organisations and the enrolment of volunteers



which are essential before effect could be given to the rest of the programme, should be taken in hand immediately by all Congress Committees

### Contribution of Percentage of Income

The Committee trusts that in compliance with the direction of the Calcutta Congress Congressmen will contribute a portion of their income to the special fund to give effect to the Congress programme. The donor may, according to his own choice, earmark his contribution for any particular item of the Congress programme, and may send it to his Provincial Congress Committee or to the All India Congress Committee office or may divide it between the two. The Committee recommends that contributions sent to the Provincial Congress Committee should be divided equally between the local committees and the Provincial Congress Committees unless they are earmarked for a particular object. The Committee further requests the Provincial Congress Committees to send a list of contributions so made to the A. I. C. C. office from time to time.

### Council Work

The Working Committee, having given full consideration to the question of work in the Legislative Councils to be done by Congressmen who are members of these Councils, is of opinion that the matter be left to the discretion of the Congress parties in the Assembly and the Provincial Councils and that these parties be given liberty to decide for themselves what attitude should be taken up in regard to any particular bill or resolution or interpellation. The Committee, however, hopes that activity in Councils will be confined to important matters only.

### Sind Elections

The correspondence relating to the elections in Sind was considered by the Committee. It was resolved that the President, after considering such recommendations as Mr. Munshi Kothari might make in the matter do take such steps as he thinks fit and proper.

### Transfer of Muttra District

Resolved that owing to the transference of the Muttra District to the United Provinces the number of representatives sent by the province of Delhi to the All India Congress Committee be reduced by one and the representatives from the United Provinces be increased by one. Similarly the number of delegates for the Congress should be decreased in Delhi and increased in the United Provinces on the basis of the population of Muttra District.

### General Secretaries

The Secretary drew the attention of the Committee to the addition made to Article XXIII of the Constitution by the Calcutta Congress to the effect that one permanent paid Secretary "shall be in charge of the office of the All India Congress Committee." Earlier in the Article it is stated that the "General Secretaries shall be in charge of the office of the All India Congress Committee." The Committee was of opinion that the repetition of the same language in this Article was clearly due to an oversight in drafting but the meaning was quite clear. The General Secretaries were fully responsible and were in charge of the office of the All India Congress Committee. Subject to this the permanent paid Secretary was in charge of the office.

It was decided to adjourn the meeting and to hold the next meeting of the Committee about the middle of February on a date to be fixed by the President in consultation with Mahatma Gandhi.

NEW DELHI—17th & 19th FEBRUARY 1929

### Congress Organisation

Resolved that the Secretary do arrange for an auditor or auditors to visit the offices of the Provincial Congress Committee, to examine and audit their accounts and, where necessary, the accounts of District Congress Committees under their jurisdiction.

*Resolved* further that the Secretary, or such inspector as the Secretary may appoint, do visit the Provincial Committee offices and examine the present condition of the Congress organisation and make such recommendations to the Committees concerned for the strengthening and improvement of the organisation as he may consider necessary; also to make a report of the inspection and the recommendations made, to the Working Committee

### **Boycott of Foreign Cloth**

The following scheme for the boycott of foreign cloth was adopted :

1. Congress organisations should call for volunteers, men and women, to go from door to door in every town and village having a Congress Committee and collect foreign cloth in the possession of the householders and deliver or receive orders for khadi required by such householders.

2. All khadi so supplied should bear the stamp of the All India Spinners' Association and pieces should be distinctly marked on them

3. Voluntary preachers should be called for to popularise the use of khadi and to advocate complete boycott of foreign cloth

Note: Volunteers and preachers should know genuine from spurious khadi

4. Foreign cloth collected should be publicly burnt wherever possible.

5. Foreign cloth dealers should be individually visited with a view to enlisting their help and inducing them to stop further purchase of foreign cloth and to cancel all cancellable orders.

6. Picketing foreign cloth shops may be undertaken wherever possible and where there is no danger of violence being committed by Congress pickets, the latter being reliable and seasoned volunteers.

7. All units should regularly report to the Central Office details of work done in terms of the foregoing and the latter should circulate to the press for publication a weekly digest of progress made

8. Help and co-operation of all political, industrial, labour and other organisations should be solicited in the boycott campaign

9. The All India Spinners' Association should be asked to furnish the Central Office with a list of places where genuine khadi is available and to open stores where there is a demand for khadi

10. A Committee called Foreign Cloth Boycott Committee should be formed and entrusted with an initial fund with power to collect more funds. The Committee should be under obligation to publish duly audited statements of income and expenditure every quarter

11. The Committee proposed in paragraph 10 should publish and distribute broadcast leaflets showing the necessity and possibility of boycott, giving full details as to the method of achieving it by individuals

12. Resolutions should be moved in the Provincial Legislatures as well as the Central, calling upon their respective Governments to make all their cloth purchases in khadi irrespective of its so called costliness. Resolutions should also be moved demanding a prohibitive duty on imports of foreign cloth.

The Foreign Cloth Boycott Committee referred to in paragraph 10 to consist of Mr. M. K. Gandhi (Chairman), Pandit Motilal Nehru, Pandit Madan Mohan Malaviya, Maulana Abul Kalam Azad, Dr. M. A. Ansari and Jawaharlal Nehru with power to co-opt. Resolved that a grant of Rs. 5,000 be made to this Committee.

### **Sunday Programmes**

In order to secure the fullest measure of support from all classes and grades of people for the Constitution which has been adopted by the All Parties Convention and the Congress, and to give practical effect to the resolutions passed by the Congress, the Committee recommends the following programme to the country and trusts that representatives of all political parties will unite in carrying it out :

On Sunday the 10th March, 1929 in the afternoon a Swaraj procession should be taken out through towns, villages, and in the evening a public meeting should be held at which the following resolution should be passed :

*"Resolved* that the residents of this city (or village) in public meeting assembled give united expression to their conviction that national honour and national interest

imperatively demand that the system of Government existing in this country should be replaced forthwith by the Constitution recommended by the All Parties Committee and approved by the Indian National Congress."

On Sunday March 17th and thereafter on the 1st Sunday of every month special attention should be paid to the propaganda for the boycott of foreign cloth and khadi should be hawked.

On Sunday March 24th and thereafter on the second Sunday of every month a special effort should be made to carry on propaganda in favour of total prohibition of intoxicating drugs and drinks.

On Sunday March 31st and thereafter on the third Sunday of every month wrestling matches, drill, lathi play and other national sports should be held in which all classes and communities should be invited and induced to participate.

#### **Disciplinary Action Against Mr. Ranga Iyer**

The Committee considered the resolution of the Congress Party in the Assembly removing the name of Mr. C. S. Ranga Iyer from the roll of members of the Party for his persistent attempt to bring the Congress Party and its leader into ridicule and contempt. The Committee was of opinion that in view of his conduct, and further in view of the speeches he made in the Assembly on the 4th and 13th February, after notice was served on him to show cause why disciplinary action should not be taken against him on the charge of misconduct, Mr. Ranga Iyer had clearly broken the pledge he gave at the time of election. The Committee therefore called upon Mr. Ranga Iyer to resign his seat in the Assembly.

#### **Disciplinary Action Against Mr. Acharya**

*Resolved* that in view of Mr. M. K. Acharya's refusal to resign from his seat in the Assembly in spite of his having acted contrary to his pledge and having been called upon to resign by the Working Committee, Mr. Acharya be disqualified from being made a Congress candidate at any future election until he makes satisfactory amends. Further that in case Mr. Acharya persists in his refusal to resign he be called upon to satisfy the President of the All India Congress Committee within a fortnight why the Working Committee should not advise all Congress Committees not to elect him to any office in the Congress organisation or as a delegate to the Congress or a provincial conference.

#### **C. P. Marathi P. C. C.**

Dr. Moonje being aggrieved over the action of the Working Committee regarding the disputes about the C. P. Marathi Provincial Congress Committee asked the Working Committee to reopen the question on the ground that his side was not heard. The Committee having heard him appealed to Dr. Moonje not to disturb the *status quo* for the current year. Dr. Moonje agreed to this. It was resolved that the next year's elections be held under proper supervision to the satisfaction of both parties.

DELHI—27th & 28th MARCH 1929

#### **Bail and Defence in Trials**

The question having arisen out of the recent trial of Mahatma Gandhi and other Congress workers in Bengal in connection with the burning of foreign cloth as to the duty of the people affected in the matter of giving bail and being represented by counsel the Working Committee suggests the following for general guidance:—

(1) There should be no civil disobedience in the prosecution of the boycott campaign except when without civil disobedience the campaign is brought to a standstill. (2) Until civil disobedience is commenced individuals arrested may offer bail and defend themselves.

#### **Arrests of Labour Leaders**

The Working Committee strongly disapproves of the wholesale arrests of labour leaders and workers including several members of the All-India Congress Committee, and the large number of house-searches all over the country. The Committee strongly condemns the method adopted by the authorities of bringing the accused

from all parts of the country to one place, and that too an out of the way place like Meerut, where they will be deprived of facilities and privileges which are open to such accused in presidency towns, to which the great majority of the accused belong.

These arrests and searches as well as the persistence of the Government in proceeding with the Public Safety Bill and the Trades Disputes Bill in spite of determined and widespread popular opposition constitute an attack on the nationalist movement in the country and a serious menace to the labour movement.

### Syt. Sambamurti's Conviction

Having perused the report published in the press of the judgment delivered in the case against Syt. Sambamurti, a member of the Working Committee, the Committee is emphatically of opinion that there is nothing in the speeches quoted in the judgment that many prominent Congressmen have not repeated on public platforms. The Committee therefore congratulates Syt. Sambamurti on having been singled out by the authorities for the honour of a prosecution.

### Prohibition Scheme

The following scheme for the prohibition campaign prepared by Mr C. Rajagopalachari was approved:—

(1) Each Provincial Congress Committee shall appoint a Prohibition Sub-Committee or put a single person in charge in order to prosecute the Anti-Drink-and-Drug campaign in the province, and set aside sufficient funds for the purpose.

(2) The Sub-Committee or member in charge in each province shall call for honorary workers who are willing to organise the campaign for prohibition in the taluqa. The Provincial Sub-Committee shall thereupon select from these one worker for each Taluq, provided that the sub-committee shall have power to change the secretary if it deems necessary.

(3) The organising secretary of each taluq shall proceed to form anti-drink sabhas in as many towns and villages of the Taluq as possible, enrolling as members all persons sympathising with the object (viz.) the eradication of the drink and drug evil and the enactment of laws for total prohibition. Members of these sabhas need not be members of any Congress Committee or habitual wearers of khadi.

(4) Attached to every such anti-drink sabha and subject to its control shall be organised a volunteer corps into which shall be enrolled men and women ready to render honorary active service strictly adhering to the principle of non-violence and carrying out the instructions issued from time to time by the provincial sub-committee and the taluq secretary.

(5) On the second Sunday of every month meetings and processions shall be organised against the use of intoxicating drugs and drinks and demanding total prohibition.

(6) Besides the holding of the above monthly meetings it will be the duty of primary organisations and the taluq secretary to hold as many gatherings as possible in their respective areas and organise village to village and house to house visits for combating the evil within their jurisdiction.

(7) Anti-drink sabhas and Congress Committees shall organise wherever possible healthy counter attractions at such places and hours as may be suitable in order to divert people from the drink habit.

(8) At each anti-drink meeting, pledges shall be taken in solemn form from all persons promising to abstain from alcoholic drinks and drugs.

(9) Sabhas may, after obtaining the sanction of the provincial sub-committee, organise peaceful picketing of liquor and drug shops wherever the same may be usefully done by their volunteers.

(10) Sabhas shall exercise their influence to prevent landlords and lessees from letting out their trees for tapping for manufacture of intoxicating drinks.

(11) Sabhas shall dissuade people from bidding at auction sales for the right to vend drinks and drugs.

(12) On or before the third Sunday of every month each taluq secretary shall gather information and send to the provincial sub-committee a brief report of the meetings held on the Sunday preceding and other work done during the previous

month in his taluq. The provincial sub-committee shall consolidate these reports and send them to the Working Committee and to the press for publication.

(13) Written pledges shall be taken from voters and citizens supporting total prohibition in the following form with names and full addresses legibly written :

"I hereby pledge myself to support the enactment of laws for the total prohibition of intoxicating drinks and drugs as indispensable for the moral, economic and social welfare and progress of our country. I further declare that in any election to local bodies and provincial and all-India Legislative bodies I shall not vote for or support any candidate who has not signed the pledge in support of total prohibition"

Suitable books for taking these pledges shall be distributed by provincial committees

(14) The provincial sub-committee may appoint a district prohibition secretary when the amount of work within the district calls for such appointment

(15) If and when elections to the Legislative Councils and Assemblies are held and Congressmen participate in them the introduction and active promotion of total prohibition shall be made a part of the election pledge of Congress candidates

It was resolved that a Central Committee consisting of Mr C. Rajagopalachariar, (Convener), Dr. Ansari, Bibu Rajendra Prasad and Mr. Vallabhbhai Patel be formed to give effect to this scheme. Resolved further that a sum of Rs. 500 per mensem for the next nine months be sanctioned for prohibition work and Mr Rajagopalachariar be requested to send a monthly progress report.

#### Untouchability Committee

In view of Mr. C. Rajagopalachariar's inability to take charge of untouchability work it was resolved that a Committee consisting of Mr. Jinnalal Bajaj, Convener, Pt. Madan Mohan Malaviya and such other persons as Mr. Jinnalal Bajaj might nominate be constituted to take step for the removal of untouchability. Resolved further that a sum of Rs. 200 per month be sanctioned for office expenses of this Committee and Mr. Jinnalal Bajaj be requested to send a progress report of work time to time

## The All India Congress Committee

*BOMBAY—21th & 25th MAY 1929*

The proceedings of the All-India Congress Committee commenced at Bombay on the 24th May 1929 and continued till the next day. About 70 members were present in all. Bengal was represented only by one delegate, Mr. Aftab Ali. The other provinces were fairly represented.

The largest number of delegates arrived from Tamil Nadu and Andhra Desa, owing to the keen interest there in regard to the Tamil Nadu proposals regarding acceptance of office. Delegates from these two provinces took a major part in the day's proceedings; and though the resolutions were considered to be non-controversial still there were speeches, points of order, interruptions, demands for polls, etc., in plenty, showing that there was a suppressed state of excitement due to the apprehension as to what tomorrow would bring in regard to the Tamil Nadu proposals. Every resolution was viewed from the point of view of its likely reactions in the event of the controversy over the acceptance of office reaching an acute stage.

Prominent amongst those present were Dr. Ansari, Mr. Jinnalal Bajaj, Sirdar Vallabhbhai Patel, Messrs C. Rajagopalachariar, Gangadhar Rao Deshpande, Kelkar, Moonji, Srinivasa Iyengar, A. Rangaswami Iyengar, Sri Prakash, Sirdar Sardul Singh, Pandit Malaviya and others. Distinguished visitors included Mr. Chintamani, Dewan Bahadur Ramachandra Rao and Mr. Natarajan.

### 1. Minutes

On the motion of Pandit Jawaharlal Nehru, the Committee recorded the minutes of the proceedings of the Calcutta session of the All-India Congress Committee as also of the Working Committee.

### 2. Reports

The Secretary next placed before the Committee his report on the inspection and audit of P. C. Cs as well as the Foreign Cloth Boycott Committee's Report. In the course of the report the Secretary said :—

"The Working Committee at its meeting held on 17th February in Delhi directed the General Secretary to arrange for the audit and inspection of all Provincial Congress Committee offices. So far the Burma, Delhi, the Punjab, Bengal, Behar, United Provinces, Bombay and Maharashtra Provincial Congress Committees have been inspected.

"Gandhiji was good enough to agree to inspect Andhra, Utkal and Tamil Nadu also. The Andhra Provincial Congress Committee however asked for an extension of time to June, on the plea that their workers were too busy in making arrangements for Gandhiji's tour to supply the information required. In regard to Utkal Gandhiji states that he has failed to get any satisfaction. No report of inspection of the other provinces has so far been received.

"The Ajmere Provincial Congress Committee was superseded by the Working Committee early in January, and a sub-committee consisting of Mr. Girdaral and Mr. Rafi Ahmad Kidwai was appointed to supervise the fresh elections. The audits of the accounts of the C. P. Hindustani, C. P. Marathi, the Punjab, Behar and United Provinces Provincial Congress Committees have so far taken place. Ajmere was visited by our auditor; but owing to the new elections and the fact that all old books and papers had been locked up by the sub-committee in charge, no auditing could be done.

"Delhi was also visited by our auditor, but he found nothing to audit. The old accounts book of the Provincial Congress Committee had apparently disappeared in the process of handing over charge at the beginning of the new year to the new office-bearers, and each party cast responsibility for the loss on the other.

Behar was going to be visited by the auditor when a telegram from the Secretary, Provincial Congress Committee, requesting postponement of the visit, stopped the auditor.

"From the reports already received it is clear that, except in some major provinces, such as Bengal, Gujarat, the Punjab, Bombay, United Provinces, Tamil Nadu and Behar, no proper office is kept and that the Provincial Congress Committees have little control over the District Committees. In Assam, there is no proper Congress organisation.

"Reports about the C. P. Hindustani and C. P. Marathi Committees reveal a deplorable state of affairs. The C. P. Marathi Committee is a new one; and owing to a longstanding conflict with another group in the province, it had practically to start afresh. There is no reason why its house should not be kept in order and proper account books maintained. The C. P. Hindustani Provincial Committee has no office or fixed abode.

"The desire of some Provincial Congress Committees to have the inspections and audits postponed in itself shows that there is an element of chaos and that an inspection is not welcomed.

"As full reports of inspection and audit have not yet been received from all provinces, it is not possible to draw up a comprehensive report of those inspected and audited. It might be said that Bombay, Bengal, Behar, Burma, the Punjab, United Provinces, Gujarat and Tamil Nadu are functioning as proper offices; but this does not mean that the Congress organisation in all these provinces is good. In the Punjab, although the central office functions properly, the districts are badly, and in some cases not at all organised. In Burma the organisation consists of a number of Indians only. Bombay is a shadow of its former self and has a very small number of members. Assam, C. P. Hindustani, C. P. Marathi, Utkal and Kerala are very backward. The North-West Frontier Province is also back-

ward ; but it is a province which has to face some unusual difficulties and should not be judged harshly.

"Karnatak is at any rate prompt in sending reports to the All India Congress Committee office : but this province and some other provinces have so far not been inspected. The Secretary has noticed however that lack of organisation and the presence of chaotic conditions are largely the legacy of past years, and an earnest effort is being made in some provinces at least to put the organisation on a stable and orderly basis.

"The Congress auditors Messrs. Dalal and Shah recommend that a uniform system of keeping accounts be introduced in all provincial offices and even in the district offices. The Secretary commends this proposal strongly to the All-India Congress-Committee

"The state of provincial offices being far from satisfactory, the state of some of the district offices must necessarily be worse. Our auditors tried to inspect the books of the Jubbulpore Town Congress Committee ; but the Secretary did not show them to him on the plea that his son had the key of the room, and he had gone out. An attempt to inspect the Nagpur Town Committee also ended in a failure.

"In the United Provinces, which has 45 districts, probably a larger number than any other province, the Provincial Congress Committee is having inspections of each one of its District Committees. This example might be followed by all the Provincial Congress Committees, and competent Inspectors and qualified auditors paid where necessary, should be made to visit every district head quarters.

In spite of repeated endeavours, the All-India Congress Committee office has not received the full membership figures from all the provinces. The Provincial Congress Committee offices have to face the difficulty of not receiving regular reports from their subordinate committees

"The following provinces have supplied information of this year's membership ; but it is not complete, as all districts have not reported :—Ajmere 14,594, Bihar 30,948, Bombay 1,210, Burma 800, Gujarat 500, Karnatak 800, Kerala 90, Maharashtra 1,410, Punjab 731, Sind 1,336, United Provinces 6,000. The Ajmere figure is a very satisfactory one. Its size is due to the fact that new elections are being run on a party basis, and each party is trying its utmost to enrol members. The full membership fees from Ajmere amounting to Rs 3,648-8 have been deposited at the All-India Congress Committee office. The United Provinces figure is probably below the actual number of members. The figure is going up as reports received from the districts show. Bihar is good, and first in the race for membership. Its star district is Champaran. The Bombay figures are for three districts only, the remaining nine districts not having reported. Other provinces have either not sent reports or have given the last year's membership figures. Obviously there are a considerable number of members in their provinces

"The following provinces have given the membership figures for the last year :—Bengal 25,500, Karnatak, 4 796. Delhi 789, and Tamil Nadu, 8,000.

"The fact that a Provincial Congress Committee cannot supply this year's membership figures, even in the month of May, does not stand to its credit. Its organisation must be in a bad way, if it has not got this information.

"The All-India Congress Committee fixed 28th February as the last day for payment of annual contributions of Provincial Congress Committees ; and in order to ensure prompt payment, left the amount to be fixed by them. In spite of this gesture of goodwill and generosity on the part of the All-India Congress Committee, many of the Provincial Congress Committees have failed to pay up, and many that have paid have given ridiculously small sums. The following sums have been received : Bombay 1,000, Gujarat 500, United Provinces 300, Bihar 250, Utkal 105, Karnatak 100, Punjab 100, Tamil Nadu 100, C. P. Hindustani 100, North Western Frontier 50, Maharashtra 50, Sind 50, Berar 50 and Kerala 25. Thus one of the poorest provinces Utkal, has paid more than Tamil Nadu or the Punjab or Maharashtra. The provinces that have not so far paid their contributions are Andhra, Assam, Bengal, Burma, C. P. Marathi and Delhi. It is for the All-India Congress Committee to consider whether these defaulting provinces have the right to send their representatives to the All-India Congress Committee so long as they have not paid their annual contribution.

"Article 9 of the constitution, which appears to be a mandatory resolution of the Congress, calling upon all Congressmen to contribute a portion of their incomes, has not met with satisfactory response so far. A number of Congressmen are certainly paying their quota regularly, and a list of all such will be published by the All India Congress Committee Office. A large number, however, take refuge under various excuses, to the effect that they are already paying something for national work. Many other Congressmen evidently prefer giving money directly to individuals doing Congress work, rather than giving it to Congress Committees. This is an unhealthy practice which gives needless importance to the personal element."

### 3. Contributions Written off

The Committee then authorised the General Secretary to write off various sums in the books of the All India Congress Committee due from the various Provincial Congress Committees as their quota of contribution to the Central Fund out of the Tilak Swaraj Fund collections made by them in 1921.

Pandit Jawaharlal said that collections of these sums was impossible, and it was proposed to write off these sums so that the Congress executive might start with a view to enforce strict observance of the rules in the future.

### 4. Resignation of Treasurer

Pandit Jawaharlal next read a letter from Mr Shiva Prasad Gupta, resigning the Treasurership on the ground of foreign travel. It was decided to defer the acceptance of the resignation and filling up of the vacancy till the next day, to enable the Working Committee to consider the question in the meanwhile.

### 5. Vacancy in Working Committee

Pandit Motilal next intimated that, following the convention of appointing an acting member to officiate for a member in prison he proposed to commend to the Committee to appoint Dr Pattabhi Sitaramayya as an acting member of the Congress Working Committee in the place of Mr Sambamurti in prison.

The Committee carried the motion with acclamation.

### 6. Tribute to Mr. Saklatwala

After formal business was transacted, the Committee adopted the following resolution:—"Notwithstanding the fundamental differences in policy and opinion between the Congress and Mr Saklatwala, and without committing itself to his Communist policy, the Committee expresses its admiration for the brave and plucky fight which Mr. Saklatwala is putting up against exploitation and imperialism in the face of over-whelming odds, and wishes him a successful Parliamentary campaign."

### 7. Disciplinary Rules

The Committee next considered the resolution recommended by the Congress Working Committee regarding disciplinary measures. Pandit Jawaharlal moved the resolution formally, and Mr Jamnalal Bajaj seconded it.

The resolution ran as follows:—

"The All India Congress Committee shall have power to take disciplinary action against, (i) any Committee of the Congress which deliberately acts against the declared policy of the Congress, (ii) any office-bearer of the Congress Committee who deliberately acts against the declared policy of the Congress and (iii) any member of the Congress Committee who is shown, to the satisfaction of the All-India Congress Committee or its Working Committee, to have been responsible for the embezzlement or gross mismanagement of public funds, or to have broken the pledge given to the All-India Congress Committee or any Committee appointed by it.

"In the case of a Committee of the Congress the disciplinary action may be the supersession of such a committee and fresh elections. In the case of an office-bearer the disciplinary action may be his retirement from the office, and fixation of a period during which he cannot seek election for an office in a committee of the Congress.

"In the case of a member of the Congress Committee found to have offended in the manner mentioned above the disciplinary action may be a disqualification for a



stated period from standing for election for any office in a Congress Committee or as a delegate to the sessions of the National Congress or the Provincial Conference or as a Congress candidate for election to the Legislatures.

"Provided that no such disciplinary action may be taken without an opportunity being given to the committee or the individual concerned to state its or his case and answer such charges as are made before the All-India Congress Committee or its Working Committee in accordance with rules made by the Working Committee in this behalf

"Provided further that when the All-India Congress Committee is not sitting, the Working Committee may take cognisance of all urgent cases requiring disciplinary action, and shall act on behalf of the All India Congress Committee. In all such cases, the decision of the Working Committee must be placed before the next meeting of the All-India Congress Committee"

Pandit Jawaharlal Nehru said that the proposed rules were necessary. They only gave specific form to the powers already inherent in the Congress Committee

Mr. G. Harisarvothama Rao thought that the rules were unnecessary, and should be avoided in the interests of the Congress

Mr. Desai from Bombay said that it must be made clear that the rules did not imply that embezzlement would not entail criminal prosecution

### 8. Disciplinary Powers of P. C. Cs.

Mr Viswanathan moved an amendment that the Provincial Congress Committees should have authority to exercise similar disciplinary powers. The following is the text of his amendment :—

"The Provincial Congress Committees shall also have the power to take disciplinary action against their Subordinate Committees and office-bearers and members of Congress Committee. In all such cases the procedure laid down by the Working Committee should be adhered to."

Mr. Basheer Ahmed Syeed, from Tamil Nadu, suspected that the rules were the result of a sinister conspiracy (cries of "hear, here" and laughter) when disciplinary action had already been taken against the Ajmer province who had framed definite rules. He suggested that the matter be referred to a big committee

Mr Basheer Ahmed was supported by Mr Kulandai from Tamil Nadu

Mr. Tirumal Rao from Andhra welcomed the proposed rules.

Mr. Muthuranga Mudaliar said that the rules should be referred to the Provincial Committees for their opinions.

Mr Aftab Ali, from Bengal, complained that the rules did not contemplate disciplinary action against the Congress members of the Legislatures who acted against the declared policy of the Congress, as when the Congress members in the Assembly supported the reference of the Trades Disputes Bill to a Select Committee, although the Congress mandate was quite definite to oppose it wholly.

Mr. Annamalai Pillai, from Tamil Nadu, made a speech in Tamil, to the confusion of the meeting, suggesting that no disciplinary action should be taken except on the recommendation of the provincial committee concerned.

Mr A. Kaleswara Rao (Andhra) proposed that one other disqualification on an intransigent member should be disqualification to stand as a candidate for the legislatures on the Congress ticket.

The proposal was agreed to on behalf of the Working Committee.

Dr. Pattabhi Sitaramiah proposed that action should be taken in accordance with the rules and regulations to be framed in that behalf.

This suggestion was also accepted on behalf of the Working Committee.

Pandit Jawaharlal Nehru pointed out that Mr Aftab Ali's suggestion was covered by the terms of the rules proposed. The suggestion that disciplinary rules were part of a sinister conspiracy because of certain recent developments was unfounded, because this was included in the agenda long ago as a result of certain difficulties experienced by the Working Committee about 4 months back.

Mr. Aftab Ali moved an amendment that disciplinary action should also be taken against the Congress members of the legislatures who went against the Congress policy.

Pandit Motilal explained that this amendment if carried would introduce

complications. Each Congress Council party had its own rules and leader; and it should not be open to any member to say that he would not carry out the mandate of his immediate leader because his leader's interpretation of the Congress policy was wrong. Every soldier must learn to obey his immediate superior; otherwise, no army could fight. The Congress might call to account the leader of the Congress Council party or the party as a whole; but it must not encourage disobedience of members of the council parties by taking advantage of the clause as proposed by Mr. Aftab Ali. He had such an experience some months ago when the instructions issued by the Congress Committee were disobeyed by the members of the Assembly on the ground that the same contravened the Congress policy. Such a thing must not recur again.

Mr Aftab Ali's amendment was declared lost for want of a seconder.

To a question by Mr Soman from Maharashtra Pandit Motilal said that the proposed rules had nothing to do with the question of Provincial Autonomy raised by Tamil Nadu.

Several interruptions were made at this stage, some of the members putting questions as to how the rules would work under certain circumstances.

The Pandit said he could not answer hypothetical questions, and that it would be for the Working Committee to decide on each case as it arose.

#### MOTION CARRIED

The resolution was put to vote, and declared carried.

On Munshi Mirza Ahmed, a Muslim member from Bombay, demanding a poll, the Pandit gave a re-count which resulted in 41 votes for and 29 against the motion.

The majority of the Tamil Nadu delegates and Maharashtra delegates voted against the disciplinary rules. The delegates from the other provinces mostly voted for the rules.

Pandit Motilal severely commented on the manner in which the Muslim member from Bombay behaved in asking for a poll. The Pandit remarked that the member must remember that he was not on the stage. "I ask the House not to encourage such conduct by laughter. I want decorum in the House." The Pandit declared

#### 9. Provincial Committees' quota

The Committee next considered the resolution that—

"In the event of a P. C. C. not paying its annual contribution under Art IX of the Constitution to the A. I. C. C. within the date fixed by the latter, the A. I. C. C. members representing the defaulting provinces may be debarred by the Working Committee from participating in meetings of the Committee till such contribution is paid."

There was a considerable discussion, objections emanating from Tamil Nadu and Andhra delegates, on the ground that the proposal would be a great hardship on the members of the All-India Committee who would be punished for the sins of their Provincial Committees.

Mr. Haisarvothama Rao, Mr. Kolandi, Mr. Kandaswami Chetti and others spoke against the resolution while on the suggestion of Mr. Viswanathan, the words "shall be debarred" were amended into "may be debarred." The resolution was put to vote and resulted in the carrying of the resolution by 41 to 32 votes.

#### 10. Preparation of Budget

Dr. B. Pattabhi Sitaramayya moved that "a budget be prepared by the Working Committee of the expenditure and income of the All-India Congress Committee for the latter's approval each year not later than May."

The mover said that the resolution was quite non-controversial. The budget proposed by him was required in order that the members of the A. I. C. C. might know how the Working Committee was spending money, whether, for instance, it was spending it on Indian students in Germany or some such work. He was not particular about the date for the preparation of the budget.

Pandit Jawaharlal Nehru explained how preparing a budget in May would be inconvenient.

The meeting agreed to the resolution without the words "not later than May".

#### 11. Congress Manual

Dr. Pattabhi Sitaramayya next proposed that "a Congress Manual should be

prepared and published embodying authoritative chapters on the various political, administrative and cultural problems comprised by the Swaraj movement, and that the All-India Congress Committee should incur the necessary expenditure therefor, and that the work be entrusted to a committee."

Dr. Pattabhi Sitaramayya, moving the resolution, dealt at length with several vital questions, such as the army, banking and shipping on which ignorance prevailed in the villages.

Mr. Kelkar suggested that the Congress Government should indicate its attitude towards the resolution, and if it accepted it no speech was necessary from the mover.

Pandit Jawaharlal Nehru said he had already intimated to the mover that the Working Committee was agreeable to the proposal.

Pandit Madan Mohan Malaviya commended the resolution, which he said brought forward one of the most practical proposals before the meeting, and urged that whatever money might be required for preparing the manual, should be ungrudgingly voted.

The President said the personnel of the Committee, suggested by the resolution might be left to the Working Committee.

The resolution was carried, and the A. I. C. C. adjourned for the day.

## SECOND DAY—25th MAY 1929

### 12. Indians in East Africa

When the All-India Congress Committee met this afternoon at 3.30, Mr. Oza moved a resolution "congratulating the Indians in East Africa on their friendly relations with East Africans, and trusting that they would continue to maintain the same relations, and treat the interests of the original inhabitants as superior to all other interests and appealing for full support to Indians in the struggle for the achievement of the political and economic equality in East Africa."

Mr. Oza observed that the principal objective of Indians in East Africa was to be placed on a footing of political equality with the other inhabitants of the country. The Indians there demanded that the present communal representation should be discarded, and a common franchise should be established. The resolution was duly seconded and adopted.

### 13. Acceptance of office

Mr. S. Satyamurti moved the following statement on behalf of the Tamil Nadu Provincial Congress Committee:

"In view of the opposition that has been expressed strongly in the country against the proposal of the Tamil Nadu Congress Committee for freedom to the Council party to accept ministerships under certain conditions, and also in view of the Viceroy's announcement regarding the extension of the term of the legislature, we have decided not to press forward the proposal though the majority of the members of the Tamil Nadu Congress Committee feel keenly about it."

Mr. Satyamurti's statement was received calmly by the meeting; only Mr. Viswanathan wanted to know for whom Mr. Satyamurti was speaking.

The President said that Mr. Satyamurti was obviously speaking on behalf of the Tamil Nadu leaders, and urged the meeting to accept the statement in the spirit in which it was made.

### CONGRESSMEN AND OFFICIAL PARTIES

Mr. Shaffee Mahomed said that in view of the compromise resolution he did not propose to move the resolution of which he had given notice.

Pandit Motilal: "I must make it clear that there is no compromise resolution. You heard the statement made by Mr. Satyamurti, and I want that there should be no misunderstanding about it."

Continuing, the Pandit said: "I shall read to you the resolution of which Mr. Shaffee Mahomed has given notice, so that the Committee might know the spirit in which it has been conceived. The resolution of Mr. Shaffee Mahomed ran as follows:—

"In view of the disciplinary resolution passed yesterday this Committee do take such disciplinary action as may be feasible in the circumstances against Pandit Motilal Nehru, the President, for having attended the Viceregal tea party at Delhi, and against Pandit Malaviya for having organised a tea party to the Viceroy in spite of the Congress ban on such functions."

Pandit Motilal after reading the resolution said : "I only want to say that all the statements of facts made in this resolution are untrue. There are three assertions, first, that there was a tea party to the Viceroy, and I attended it. It is not true. It is equally untrue that Pandit Malaviya organised a party to the Viceroy, and I maintain that there is no ban under the Congress rules on such functions as I have attended."

#### 14. Social and Economic Changes

Mr. Sri Prakash next moved the following resolution recommended by the U. P. Congress Conference :—

"This Conference recommends to the All-India Congress Committee that, in the opinion of this Conference, the great poverty and misery of the Indian people are due not only to the foreign exploitation in India, but also to the economic structure of society which the alien rulers support so that their exploitation may continue. In order therefore to remove this poverty and misery, and to ameliorate the condition of the Indian masses, it is essential to make revolutionary changes in the present economic and social structure of society, and to remove the gross inequalities, provision should be made for providing a living wage for every worker, to tax heavily all unearned income, to supply adequate land to the peasants, and to protect them from the interference of all middlemen."

Mr. Sri Prakash said that the resolution was self-explanatory. The masses wanted to know what Swaraj meant to them. Unless Swaraj meant contentment and prosperity to the masses it had no significance to them.

Mr. Viswanathan seconded the resolution.

Mr. Ramdas Pantulu moved for the deletion of the words "provision should be made for providing a living wage for every worker, to tax heavily all unearned income, to supply adequate land to the peasants, and to protect them from the interference of all middlemen". Mr. Ramdas Pantulu said that, while the Committee might endorse the principles, it was not necessary to stand committed to the details.

On the amendment of Mr. Ramdas being put to vote it resulted in a tie of 16 against 16 votes. A second count of votes again resulted in a tie of 23 to 23 votes. The third count resulted in 25 votes for the amendment, and 23 votes against.

The resolution as amended was carried *nem con*.

#### 15. Extension of Life of Legislature

Pandit Motilal next made the following statement :—

"The announcement made by the Governor-General in regard to the extension of the life of the Assembly published in the Gazette of India Extraordinary yesterday is very important and calls for a definite action on the part of the All-India Congress Committee. There are however certain facts which it is necessary for the All-India Congress Committee to know before it can decide on the action to be taken. I feel that I must not disclose the facts without making a reference to the Governor-General, who is personally concerned. I have telegraphed to the Governor-General and on receipt of his reply, I will issue a statement to the press. As however, another meeting of the All-India Congress Committee cannot be held immediately after the receipt of the reply and as prompt action is necessary a resolution will be placed before the Committee giving full power to the Working Committee to deal with the situation as it develops."

Mr. A. Rangaswami Iyengar then moved the following resolution :—

"This Committee having heard the important pronouncement from the President regarding the communique of the Governor-General extending the life of the Legislative Assembly realises the gravity of the situation and in order to enable the country promptly to take such action as may be necessary to meet the exigencies of the situation, authorises the Working Committee to adopt such measures as it may consider fit in the interests of the country as regards the action to be taken by the members of the Congress Party in the Assembly and the Provincial Councils."

As Mr. Rangaswami Iyengar stood up to move the resolution, Mr Kulandai from Tamil Nadu objected that the speaker had not been returned from Tamil Nadu.

Pandit Motilal overruled the objection.

Mr. Rangaswami Iyengar said that the resolution needed no elaborate elucidation. The Governor-General's announcement was a serious deprivation of the rights of the electorates to give their verdict, as also of the rights of the legislatures, which desired to record their opinion on the question. As prompt action was necessary, the Working Committee should be given full powers.

Dr Ansari seconded the resolution

Pandit Motilal briefly commended the resolution to the Committee

Mr. Sri Prakash from U P opposed the resolution. He said he regarded all elections as evil. He referred to the differences which arose at the time of each election, as also his own defeat in the last election.

Pandit Motilal said that references to the old differences between 'No-changers' and 'Pro-changers' as also the speaker's personal case, were irrelevant.

Mr. Sri Prakash observed: With all deference to Pandit Motilal, I oppose the resolution, on the main ground that the All-India Congress Committee should certainly maintain an attitude of indifference to Viceregal pronouncements

Mr Viswanathan wanted to move an amendment, but Pandit Motilal ruled that the time for moving the amendment was long past

Mr. Hanisarvothama Rao said that the resolution was in strict accordance with the spirit of the Congress Constitution and the Working Committee had always full powers.

At this stage, Mahatma Gandhi entered the hall and received a tremendous ovation.

Mr. Rangaswami Iyengar's resolution was then put to vote and carried by 30 to 11 votes

### 16. Repression and Congress Reorganisations

Mahatma Gandhi then moved amidst cheers the resolution relating to the reconstruction of the Congress organisations. The Mahatma's resolution ran as follows:—

"In view of the campaign of repression which the British Government is carrying on all over the country, as evidenced by the conviction of Mr. Sambamurthi, a member of the Working Committee, and many other national workers; the wholesale arrests and barbarous treatment of the members of the All-India Congress Committee and the Labour leaders and workers now awaiting trial at Meerut; the unwarranted house-searches, the wanton confiscation of Pandit Sunderlal's "History of British Rule"—

"The All India Congress Committee is of opinion that the nation should be prepared for efficient resistance to such methods and as it is clear that no nation-wide resistance is possible unless the whole Congress organisation is reconstructed on a satisfactory basis—

"This Committee therefore calls upon the provincial organisations to reorganise their respective provinces so as to fulfil the following requirements. —

"The Provincial Congress Committees shall have, (i) not less than  $\frac{1}{4}$  per cent of the total population of their Province as original members and, (i) not less than 50 per cent of the districts in the province represented in the P. C. C.

"District and Tahsil organisations shall have not less than one quarter percent of the population as original members. In the case of the district not less than 50 percent of tahsils must be represented in it and in the case of the Tahsil not less than ten per cent of the villages within the tahsil should be represented.

"A village organisation shall have not less than one per cent of its population as original members. For the Province of Bombay the original members shall not be less than  $1\frac{1}{2}$  per cent of the population. For the Provinces of Burma and N. W. F. the Working Committee shall issue such instructions as may appear to it reasonable after consultation with the workers in those provinces.

"In computing the quota of each province or district the Indian States and the agencies corresponding to non-regulation tracts need not be taken into account.

"No provincial organisation will be recognised by the Committee that does not satisfy the foregoing test by the 31st August 1929.

"It will be open to the Working Committee to disaffiliate any organisation that does not carry out the instructions issued from time to time by the All-India Congress Committee or the Working Committee."

#### THE MAHATMA'S APPEAL

In moving the resolution, Mahatma CANDHI spoke in Hindi and then in English. He said that it was a summary procedure which he was adopting when he asked the Committee to adopt the resolution without having circulated copies, and without giving time to consider. But the situation demanded the summary procedure. He would ask the Committee to eschew from its mind the preamble, because the preamble claimed to be exhaustive. The principal part was the operative part. The Congress had appointed three Committees to organise boycott of foreign cloth, khaddar production and Prohibition. The resolution before the Committee now related to the internal organisation of the Congress. If the Congress were to be an irresistible force whose authority would be respected it must be a strong organisation with complete co-ordination between its component parts. There was no such co-ordination at present.

The proposal might seem to be radical, but emergent situations demanded radical remedies. In fact, originally the Working Committee had agreed to a more radical proposition, namely, that Provincial Committees should be abolished and that the District Committees should establish direct relations with the Central Committee. But where necessary changes had to be made in the constitution difficulties were experienced. Pandit Jawaharlal was also of opinion that the Committee might regret it, but he had no misgivings. The resolution put forward radical proposals. The Committee should take the responsibility of the Congress if in its opinion the situation in the country demanded it. If the resolution was carried into effect it would not then be feasible for the Viceroy to insult the country by extending the legislature or to insult the President of the Assembly. (Cries of shame)

The resolution was seconded by Mr. Srinivasa Iyengar.

Mr. Srinivasa IYENGAR, in seconding Gandhi's resolution, said that he had no hesitation in giving his support to the resolution because he was convinced that if the Congress authority was to be respected the Congress must be made more efficient. If the country had been able to sustain the enthusiasm which was witnessed in the years of 1921 and 1922, they would have been able to render a better account of themselves. Having witnessed the history of the last nine years, none could deny that, a definite programme or action, such as was contemplated by the resolution, was necessary.

Mr. Srinivasa Iyengar asked the Committee to vote for the resolution only if there was a determination behind it to carry it out. He was sure he had Gandhi with him when he said that Gandhiji would welcome the rejection of the resolution by the All-India Congress Committee if that Committee should pass the resolution and then fail to fulfil it. The penalty clause of the resolution was of a severe character; but it must be accepted in the spirit in which it was conceived.

The penalty clause was included more to assist than to terrorise the provincial committees. As far as he was concerned, Mr. Iyengar said, he stood there to second the resolution because he was determined to do his best to work the resolution in Tamil Nadu. If he failed, he would submit to the penalty clause, and retire from the Congress field. He was certain that if the resolution was worked whole-heartedly it would result in the disappearance of the unfortunate differences which had manifested themselves. He was certain that unity would prevail if what was contemplated by the Calcutta Congress resolution happened on the 1st January 1930 as they would then achieve their object without a transfer of allegiance. (Cheers.)

There was considerable misunderstanding caused among a section of the audience by Mr. Srinivasa Iyengar's phrase "transfer of allegiance," which he attempted to remove by explaining that he used the phrase as an individual, and not as a party man.

Pandit Madan Mohan MALAVIYA declared that preparation in terms of the

resolution was not connected with the idea of transference of allegiance beginning next year, and hoped that they would win Dominion Status without transfer of allegiance next year.

A number of amendments were moved, some of them being accepted. These were that Delhi should be excluded from the operation of the clause relating to enrolment of 3 per cent of the population and that Bombay's percentage should be decreased to  $1\frac{1}{2}$ . The Agency Tracts were excluded from computation of percentages.

Mr. Lal Chand wanted the khaddar franchise to be dispensed with.

Mahatma Gandhi explained that the khaddar franchise was no bar to canvassing millions of members. Besides, any changes which the workers might feel necessary might be made in anticipation of approval by the Congress.

Pandit Motilal Nehru ruled Mr. Lalchand's amendment out of order as it sought to change the constitution and he had not been given sufficient notice of it.

The resolution with the accepted amendments was passed by a majority.

### 17. Punjab Repression

Mr. Jamnadas MEHATA moved the last resolution noting with sorrow and indignation the ruthless repression in the Punjab and interference with preparations for the Lahore Congress, and expressing satisfaction that repression had not in any way dampened the enthusiasm of the workers.

The resolution was seconded and carried unanimously.

*The A. I. C. C. was then dissolved.*

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# **The Indian Statutory Commission**

*(Continued from Register 1928 Vol. II, p. 160)*

## **The Commission at Lucknow**

From Delhi the Commission arrived at Agra on the 28th morning for a short rest. Here, as elsewhere, a hostile demonstration was made at the railway station by about 2,000 black flag processionists, while a procession of Mahomedans with a Union Jack flying and led by a brass band welcomed the visitors and showered flowers on them. The party left Agra on the 29th evening and arrived at Lucknow on the 30th November in the morning.

Here, at Lucknow, for some time past the local boycott committee were planning measures and holding rehearsal demonstrations in order to express their disapproval of the visit to Lucknow of the Simon Commission. These rehearsals were held on four days and on all these days there were brutal attacks by the police. But the demonstrators refused to be cowed down by these brutalities and increased their demonstrations. The climax reached on the last day, that is, the 30th November, the day of the arrival of the Commission, when mounted and foot police displayed their skill with the baton and lathi on the heads and backs of well-known public workers of all parties and injured hundreds of others. How the trouble arose is very ably expressed by Pt. Jawahar Lal Nehru who was the leader of the boycott demonstration and who was himself wounded in the police charge. We give below the Pandit's statement issued to the press —

### **The Police Assault—Pt. Jawaharlal's Statement**

"A number of statements have been issued regarding the recent happenings in Lucknow. It may interest people to have a connected account of these incidents from one who was an eye-witness to the many things that happened there.

It appears that the authorities there were assured by their underlings and informers that the boycott demonstrations in Lucknow would not amount to much. They were told that Muslims would not take any prominent part and a slight difference of opinion in the Boycott Committee was magnified and made to appear as if there had been a split among the boycotters. The original attitude of the authorities was thoroughly accommodating. As soon as the news of the so-called split reached them, they stiffened their attitude. But very soon they found that there was no split and that the Boycott Committee was as determined and united as ever. And immediately the authorities became more accommodating than ever and agreed to a procession on the 26th November.

So far as the Boycott Committee was concerned, they made it clear that they were prepared to abide by all reasonable arrangements made by the police. It was not their intention to seek a conflict with the police. Their whole object was to organise a great demonstration against the Simon Commission.

The procession of 26th November was an eye-opener to the authorities. It was a vast procession whose numbers it was impossible to guess. It proved conclusively the tremendous strength of feeling against the Simon Commission and the Government that was backing this Commission. Nothing untoward happened during this procession in spite of the vast numbers that took part in it, because the police did nothing aggressive. The procession however made it clear to the authorities that their informants who had told them that there was not going to be much boycott agitation were hopelessly in the wrong. And immediately there appears to have been a change in the attitude of the officials, and they seemed to have decided to try a little bit of terrorism to cow down the people.

The first fruit of this change of attitude became visible on the 28th when another procession was to have been taken out from the Congress office. Notice of this procession and the route it was going to take, was sent to the police authorities. On



the very evening of the procession, however, the police informed the Boycott Committee that they would not permit the route. The Secretary of the Committee told the police that it was too late for them to change their plans. The procession therefore gathered under the Congress office. The City Magistrate, Mr Ainuddin, with mounted police came there, and spoke to Mr Mohanlal Saxena, Secretary of the Committee. They went into the adjoining shed, and exchanged written notes, which have been published. The procession formed up. It was faced by the mounted police. The procession had hardly proceeded a step or two when they were attacked by the mounted police when batons were used freely. It is untrue to say, as has been said in the Government communique, that the procession tried to force their way through the police. Their idea was to assert their right to proceed and to stop if the police actually stopped them. They had in fact stopped when the charge was made.

It is stated in the communique that people tried to get round the Police by climbing over the railings of the Park. This is untrue. Many people did try to climb over the railings, but this was when the police charge was made, and they wanted to escape. It must be remembered that apart from the procession, there were many other people there, and it was largely these people who tried to escape the charge. The Police however pursued them on the pavements to the railings, and beat them there. The hoofs of the police horses were plainly visible the next day on the pavements.

Many people on the side of the processionists were injured. Among them were Babu Mohanlal Saxena, Mr Pestonji and Mr Kishan Prasad Kaul of the Servants of India Society.

It is stated by the Government that stones were thrown by the processionists on the Police and that some Police officers were injured. It is impossible for any one to say whether stones were thrown or not; but it was pointed out at the time to the Deputy Commissioner, Mr Gwynne, that if the processionists had wanted to throw stones there were piles of them on the roadside. Mr Gwynne was also asked if he would show to any responsible member of the Boycott Committee the injuries which were alleged to have been caused by stone throwing. But none were forthcoming. Mr Gwynne stated ultimately that no obvious injuries were caused. Any way, in spite of repeated requests, none were shown.

That night, I received a telephone message from Lucknow about the Police assault, and I left for Lucknow the next day. I found on arrival that there was very great resentment at the Police assault of the day before, and the general feeling was that the Boycott Committee should have no further official dealings with the Police authorities. There was no procession on behalf of the Committee that day, i.e., 29th. But a mass meeting had also been called to celebrate the Lajpat Rai day. A mohalla meeting had also been called at Narhai, at the back of Hasratgaj. I went to this small meeting with Khalikuzuman Mr. Harkaranath Misra and Mr. Gobind Ballabh Pant.

After the meeting was over, it was proposed to go in a body to the big meeting in Aminuddaula Park. I suggested that we should not all go in a procession, as there were a number of small boys present and it might not be easy to have an orderly procession. Our suggestion was that two or three small groups, not exceeding twelve, should go and that the rest should go individually. We further suggested that in order to avoid any traffic block or any conflict with the police, we should not go through Hazratganj which is the main European shopping quarter, but should proceed by unfrequented roads.

In the course of this discussion, the Assistant Superintendent of Police came up to me, and wanted to know what we were going to do and if we proposed taking out a procession. I told him that in view of the wanton attack of the police the day before we were not prepared to have any further dealings with the police. A little later, we formed up three groups of twelve each. Two of these remained standing whilst the group headed by Mr. Gobind Ballabh Pant and myself proceeded along Nawalkishore Road. We had barely started, when we were stopped by the mounted police and a charge was made on this group of twelve. The road was practically empty at the time except for us and the mounted police. The members of our group received plenty of lathi blows. After a few minutes the lathi blows ceased and the

Deputy Commissioner appeared on the scene. It is curious that both on the evening of the 28th and on 29th when the police made an assault and used their batons, the Deputy Commissioner Mr Gwynne appeared on the scene like a *deus ex machina* immediately after the occurrence. We had a long argument with the Deputy Commissioner. He said that he had no objection to our proceeding in the manner we intended to, but that we must have formal permission for it. We told him that after the police behaviour on two occasions we were not prepared to ask for any formal permission. Thereupon he suggested that he would be satisfied by an oral request. But that too we were not prepared to make. Ultimately, he even said that he was prepared to treat our conversations as an oral request if we were also prepared to treat it as such. We were unable to agree to this even. It thus became entirely a matter of prestige on either side. We sat down then by the roadside with the mounted police barring our way.

Meanwhile the news of these happenings spread far and wide, and had created a great deal of consternation at the mass meeting that was going on in Aminuddaula Park. There was a tendency for the audience to come in a body to us. This was stopped and the meeting sent a deputation to make enquiries and report. Big crowds began to assemble on the Hasratganj side of the Nawalkishore Road. Ultimately, after an hour's waiting, the Deputy Commissioner said he would permit our group to proceed along the route we had originally decided upon. Whether this was due to increasing crowds or the triumph of reason, I do not know. This decision was evidently not to the taste of the Superintendent of Police who did not like the idea of official prestige suffering. However our groups were allowed to proceed. We told the great crowd that had assembled to go back to the meeting by other roads which they did. Our three groups marched along preceded by the mounted police as a kind of guard of honour, along Hasratganj and Kaiserbagh to the Park.

The incidents of the evening had naturally attracted a great deal of attention, and our little procession which might otherwise have been unnoticed became a kind of triumphal march. The meeting in the park itself was an enormous gathering and there was very great enthusiasm.

The Secretary of the Boycott Committee had asked for a plot of ground along the route to be taken by the Simon Commission from the station for our demonstration. The Deputy Commissioner had replied on the 29th that he would have no objection to giving this plot but that he had already allotted it to the Depressed Classes. Late at night, on the 29th some of us went to see the lands lying round about the station. We saw the so-called depressed Classes numbering about 30 or 40 occupying two little shamiants at a great distance from the station and there was enough land along the road and in front of the station to accommodate five or six lakhs of people. We visited the depressed class people and found that they had been asked to come there to witness dancing and singing from professional singers, who had been brought from Cawnpore. This is locally known as the nautanki performance. We were told that each person who had come had been given Rs. 2. They were also provided with ganja and charas. We talked to some of these people. They knew little about the Simon Commission, and those who did know something about them, said that they were prepared to wave black flags, etc., when they passed by. It was clear from the vacant land available that if the Deputy Commissioner was sincere in his offer to give us a good site, there was no lack of space. It was the easiest thing possible for him to separate us by a hundred yards or so from the depressed classes, and if necessary to put policemen between us.

There was an adjoining maidan, which though not very suitable for us, was far better than the plot of land that he had allotted. The next morning the procession started from the Congress Office at six with black flags, etc. The procession was well organised, and marched in fours with ropes on either side to keep the lines. Behind the regular procession of a thousand and more followed large numbers of other processionists in no regular array. It was a vast crowd on the march. Smaller processions went directly from the various mohallas to the station. When the main procession arrived near the open space opposite the station, it turned to the left to go towards the line of the route. They were stopped by the police and asked to go right to the plot which was at least a quarter of a mile away from the nearest point

of the Simon route. I pointed out that it was ridiculous for us to congregate at this distance. As however we were not allowed to proceed to the left, we remained standing there. Part of the procession was allowed to march a little further ahead along the route, but were then stopped by the police. Here we stood for an hour or more. Many of the smaller processions and individuals gradually dribbled to the other side of the maidan near the line of the route.

I had a short conversation with the Deputy Commissioner and pointed out that his allotment was grossly unfair and that there was plenty of vacant land available for us in a better position. He told me gruffly however that he was not prepared to argue, and that his orders must be carried out. The day before the police assault he had appeared to be a sweetly reasonable person. On the 30th morning, there was little of sweetness or reasonableness in him. Evidently, he felt annoyed at the downfall of official prestige and wanted to reinstate it by an aggressive and offensive behaviour. So, we stood for a long time, the main procession in serried ranks on the road, with a small part of it facing the left, and the crowd near the line of the route and odd individuals spread out over the maidan to the left.

It is difficult to estimate the numbers present. Opinions vary greatly. Some people estimate the entire crowd at a lakh. Others give a much smaller figure. I do think that the crowd could have been less than 50,000 persons, in the various open spaces in front of the station. Suddenly we saw a charge by the mounted police at the other end of the maidan. We were told subsequently that they had given five minutes' notice to the party, but had as a matter of fact charged within a couple of minutes. The maidan was full of little groups of people. These were driven down ruthlessly by the mounted police, and beaten with lathis. Many people fell down and were injured by the horses. The maidan was an extensive place and the mounted police had a fine chance of charging at gallop, which they took full advantage of.

All this we saw from a distance of nearly a quarter of a mile. Ultimately, the mounted police reached the procession. The processionists stood firm, and for a little while refused to budge. Even the horses were brought to a stand still by the solid phalanx of the processionists. The aid of the foot police was then taken, and the mounted and foot police charged with batons at the procession. Quite a prominent part in the attack with lathi blows was taken by the Assistant Superintendents of Police. The procession however did not break up in spite of this; but gradually receded step by step, maintaining a fair measure of order. Having crossed the road we came to the plot which had actually been allotted to us. The police charge however continued for another hundred yards or more. The police then stopped the charge and took to throwing stones, a pastime in which some of the police officers on foot vigorously indulged. This was a bit too much for the nerves of the procession and they began to retaliate. A number of stones were thus thrown by the people on the side of the processionists, but immediately they were asked to desist and stone throwing stopped on the side of the processionists.

The procession lined up again and stood facing the mounted and foot police in battle array, three or four deep with a distance of 10 or 15 yards separating them. Thus they stood. A little later, they saw in the extreme distance cars being rushed away from the station which presumably contained the gallant commissioners. After some time the procession marched back in an orderly manner to the Congress office, where after a little speechifying, it dispersed.

It is difficult to estimate the number of casualties but it is clear that hundreds of persons must have been injured though probably the really grave injuries were fortunately not many. One man's life was despaired of and several had their heads split open. On the police side one of the Assistant Superintendents was hit by a stone on the hand.

After the end of the procession, the students of the Lucknow University who had taken considerable part in it, and who were largely responsible for the discipline and orderliness marched back to their university quarters. At one place they were pursued by the police. There was a little argument between the two, the police threatening to arrest the lot. The Vice-Chancellor, however, appeared on the scene and damped the ardour of the police. Practically the whole day little processions of students and others went about the city and held meetings in Aminud-

daula Park. The city observed a very fine hartal. In the evening a great mass meeting was held at which Pandit Motilal Nehru and others spoke.

So far as I am concerned I have not the slightest grievance against the Government or the officials in Lucknow. The Boycott Committee ought to give them honourable badges for the help it received owing to their stupidity in making the boycott demonstrations a tremendous success. Everything that they did was from their point of view stupid in the extreme, and from the point of view of the boycotters extremely felicitous. It was painful of course to me and to others to see the extraordinarily callous and brutal behaviour of the police. But I suppose that is the price which we often have to pay. It was clear that on 30th the police were out for vengeance. Indeed, they gloated about it afterwards, but in their stupidity they did not realise that they had completely played into the hands of the boycotters. They have brought the real issue before the people of the country, heretofore of all sophistries and legal quibbles. That issue is that British rule in India means the policeman's baton and the bayonet. The real problem is how to overcome them. Logic and reason are unhappily lost on the baton and the bayonet. They will be overcome by the strength and the sanctions that the country develops. In this process of developing sanctions we can have no greater allies than the British officials of the kind which Lucknow possesses to-day."

#### Official Account of Police Charge.

The following official communique was issued dealing with the incidents of November 29 and the morning of November 30 :—

"At about 2 p.m. on November 29 information was received that the Congress workers in Narhai was organising a procession from Narhai to Aminudoulah Park. No licence had been applied for, and no intimation given to the authorities regarding it. On ascertaining what was afoot, the authorities intimated that the procession could not be taken out unless a licence was obtained, and mounted police were brought to the spot.

In spite of the warning, a procession started off. The mounted police barred the passage, and had to use force to stop it. Several persons received slight injuries. Shortly afterwards, the District Magistrate and the City Magistrate arrived on the scene. The processionists maintained that they were not taking a procession but were merely proceeding in three companies of twelve men each, carrying black flags and singing songs, to Aminudoulah Park. The District Magistrate held that this was clearly a procession and that its formation was such as to attract an ever-increasing number of followers as it passed. Even so, he wished to help the demonstration to reach their destination. After some discussion with the leaders, the District Magistrate agreed to permit the procession in the formation mentioned above and along a route to which the leaders agreed.

A procession of three groups of twelve was formed and marched off accompanied by some mounted police. Contrary, however, to the agreement, these companies reinforced in numbers as they proceeded, and failed to follow the route settled. The procession stopped quite a long while shouting at different points on the route, and by the time it passed through Aminabad road it had assumed considerable dimensions, but it reached its destination without further incidents.

It is at this juncture necessary to revert for a moment, to the discussion which had taken place between the Secretary of the Congress Committee, the District Magistrate and the Superintendent of Police. The Secretary of the Congress Committee on the 25th of November, wrote asking *inter alia* what restrictions, if any, it was intended to impose on the day the Commission arrived and said that his Committee was willing to observe any reasonable orders to regulate traffic so long as they were allowed to hold a black flag demonstration somewhere near the station within a reasonable distance. He was informed that the policy of the local authorities had all along been to allow processions and demonstrations, provided the Congress Committee followed the rules and regulations on the subject of processions enforced for some years in Lucknow for all communities in the interest of law and order. This was communicated to the Secretary by the Superintendent of Police who also suggested that a land might be allotted to the Committee opposite to the

railway station for purposes of demonstration on the day of the Commission's arrival. Further correspondence followed, in which the Congress Committee stated that they welcomed this attitude and desired a perfectly peaceful demonstration. Up to the 29th, however, they had not replied to the suggestion put to them regarding the reservation of a plot of land near the railway station in spite of the incident connected with the procession of the 28th. The District Magistrate wrote on the 29th of November to the Secretary of the Congress Committee asking where they wished to demonstrate near the station in order that he might allot a ground for the purpose. The Secretary replied that he wanted an area of ground between the A. P. Sen Road and the Station Road, and that they proposed to proceed there in procession by La Touche Road from the Congress Office. The District Magistrate replied that he had no objection to the route proposed for the procession, but that the ground in question had already been allotted to the members of the depressed classes who had submitted an earlier application. He said they could have a piece of open ground exactly opposite to the entrance of the railway station at the junction of La Touche Road with Station Road. To this the Secretary sent no reply.

On the morning of the 30th, the police were on duty at 5-30 a.m. The members of the depressed classes were in the position allotted to them, but the boycott demonstrationists who were assembling on La Touche Road within about a hundred yards of the place allotted to them, instead of proceeding thither, were advancing in small bodies to a position in close proximity to the depressed classes on the route, and beyond the police cordon. This was contrary to the terms of the letter issued by the District Magistrate and was likely to lead to an awkward situation as the police on duty there were not in sufficient strength to prevent the demonstrators breaking through into the main station road.

The members of the Congress Committee approached the District Magistrate as he was directing the demonstrators to return to the ground allotted to them, and complained that it was not near enough to the route. The District Magistrate said he was unable to make any change at that late hour, namely, about 7 a.m., the Commission being due to arrive at 8 a.m. The demonstrators were given ten minutes by the Superintendent of Police within which to move to the space allotted. They refused to do so, and accordingly after about quarter of an hour were moved back by the mounted and foot police. In the process, the demonstrators hurled stones and brickbats at the police, slightly injuring the Assistant Superintendent of Police, the Reserve Inspector, a Sergeant and a Sowar sustained somewhat severe injuries and the Sergeant had to be taken back to the lines. Some of the demonstrators also received lathi blows. Moving of the crowd to the allotted place did not occupy ten minutes, and as far as is known the injuries on either side, other than those mentioned, were of a simple nature. From this time, namely about 7-30 a.m. there was no attempt on the part of the boycotters to leave their position, and no attempt on the part of the police to check the black flag demonstrations."

### 1st. December—official Evidences

The Simon Joint Free Conference commenced its sittings in the morning reinforced by the addition of the U. P. wing and examined Sir Ivo Elliot, the Secretary of the Local Self-Government and Public Health Departments.

Examined by Sir John Simon the witness stated that the subjects under his control did not fall in the portfolio of one Minister but under different Ministers. He did not regard it as an unsatisfactory arrangement from his point of view; it was rather an advantage.

Sir John Simon: Do you think it is convenient to keep the Municipalities separate from the District Boards?—Yes.

Sir John Simon: The governing statute of the Municipalities is the J. P. Municipalities Act of 1916?—Yes.

Sir John Simon: Do I understand rightly that as the result of this Act, a system came into force of non-official chairmen, or elected chairmen and of the constitution of municipal bodies on the basis of election—Generally speaking, yes. There were non-official chairmen before 1916, but this Act made it compulsory.

Sir John Simon: Now let us take the constitution of these bodies. Your

memorandum shows that there are no less than 85 Suburban Municipalities—Yes. They vary very much in accordance with the population which ranges from 6,000 to 250,000 in labour cities. Out of 85 self-governing municipalities 75 have non-official chairman.

Sir John Simon: What is the nominated element in these bodies?—It varies with the size of the Municipality. In the smaller ones Government nominates only two, while in the larger cities there may be as many as seven. It is not obligatory on the Government, under the statute, to nominate a depressed classes man, but the Government does give them one seat even where there are only two nominated seats.

Sir John Simon: I do not quite understand this difference in expenditures of Municipalities and District Boards. Is there any difference in the function of the two?—Apart of the educational work inside the Municipalities is in charge of District Boards. The witness informed the Chairman that the Departmental Staff is entirely inadequate for the supervision of the work of 26 Municipalities and 48 District Boards.

Sir John Simon: Do you have a staff of local Inspectors?—Inspection is indirectly done by the Government, by the Resident Magistrate and the Commissioner in charge of the Division. The executive power is not directly exercised by the District Boards, but their decision is, in many cases, the same as that of the Government official concerned. In certain cases, members directly carried out work on behalf of the Boards, but this led to abuse and had to be stopped. Members take much more part in the administration of the Board now than they used to do in the pre-Reform days.

Sir John Simon: The Deputy Commissioner was in a strong administrative position because he had his staff of subordinates to help him. The withdrawal of that officer from the chairmanship of these bodies deprived them of the services of the official body of his subordinate staff. These bodies had, therefore, a difficult position to face.

Sir John Simon asked if any control was exercised over the expenditure of grants made to the local bodies by the Government.—The witness said that control over the expenditure of educational grants was exercised by Inspectors, who had Deputy-Inspectors to assist them. Though in the employ of the Boards, they were appointed by the Government. Public Health and Hospitals are supervised on behalf of the Government by Civil Surgeons. Expenditure on roads was not controlled by the Government, but inspection was contemplated, as a part of a scheme by which larger grants would be made to Local Boards for the development of roads. There was no backward system of grants-in-aid for the development of roads, but a few backward districts received grants for the development of their roads. One-fourth of the expenditure is met by grants. A Government Engineer inspects roads when the work is completed by the Boards' contractor.

The witness told Lord Burnham that the Government refused grants to Boards when they found that a large part of their dues were uncollected. This was a general feature of Local Boards. It was still there in spite of increasing demands for improvement. The attitude of the Government with regard to Local Self-Government had not been one of complete abandonment. The Government do not want to interfere, but they do interfere in certain matters. Inspection was carried on by officers appointed by the Government.

The witness informed Mr. Vernon Hartshorn that the United Provinces District Boards Act provides that one of the two nominated members must be a representative of the depressed classes. Mr. Cadogan asked whether there had been any occasion in which the Government had to suspend a local body for administrative inefficiency.

Sir Ivo: There has been no case of actual suspension of a District Board, but in one case the Government had to call upon one to explain why it should not be superseded by Executive control. The Government has often had to bring pressure to bear on them to carry out certain duties.

To Lord Strathcona the witness explained that the District Magistrates do not appoint Surpunches for the village panchayats without consulting local opinion. It was more a matter of informal election rather than nomination.

The witness informed Colonel Lane-Fox that the deficiency in the Local Board

administration was to some extent due to less using of official help, but the conditions were now improving and the Government were taking steps to remedy the causes of this deterioration. The witness thought there was public opinion in rural areas but it did not know how to express itself. There was no local tax on petrol. There was no specific tax which was to be utilised on the development and improvement of roads.

To questions of Major Alee the witness replied that arrangements of central control had been rather chaotic, and no direct advice had been given to Boards as to the technique of Local Government. The advice of the Commissioner or Resident Magistrate took the form of letters asking the Boards to carry out certain works. It was not a part of the duties of the District Magistrate to give advice to Local Boards, though it may be his pleasure. In many cases non-official chairmen took the advice of the District Officer in matters of administration.

Replying to Mr. Srivastava, the witness said that much of the deficiency in the work of the District Boards was due to the defective nature of the District Boards Act. The main defect was lack of a strong executive in the Boards.

Mr. Srivastava wanted to know what the Government had done to provide District Boards with an efficient executive. The witness admitted that nothing had been done yet. He suggested as a remedy, comprehensive amendments to the existing Act.

Hafiz Hidayat Hussain : Is the works of the Boards suffering because of undue interference of the Chairman and members with the work of the executive?—To some extent, yes.

Question : Will it not improve matters to provincialize the posts of the superior executive officers of the Boards, such as Secretaries, and Education Superintendents?—It is difficult to say either yes or no. Such a procedure may tend to make the superior staff too independent of control by the Chairman or members.

Dr. Khan : Is the communal spirit mainly due to the existence of separate electorates in the District Board election?—Separate electorates are not the main sources of the growth of communalism.

Dr. Khan : So far as communal squabbles regarding appointments to Boards' offices are concerned, would it improve matters to fix statutorily that a certain percentage of jobs should go to members of a certain community?—Such a fixation might improve matters, but would interfere with efficiency, if no minimum qualifications were laid down for such appointments.

He suggested the appointment of a Services Commission on the American model to handle those appointments as also to decide dismissals and cases involving the imposition of serious punishments.

Replying to Raja Kushal Pal Singh the witness admitted that the Government in their resolutions had more than once paid tributes to Chairman and members for their excellent administration of local bodies. He would not say that all local bodies had proved inefficient.

Replying to Sir A. Froom, the witness said that in case of Government grants to local bodies for the maintenance of roads, it would be better to provide for inspection from a central authority to watch that the money was well spent. Apart from inspection, the Government should also provide expert advice.

Raja Nawab Ali Khan wanted to know if it was not a fact that the Superintending Engineer, the Public Health Department, and the Electrical Inspector to the Government gave expert advice and exerted some control on local bodies on matters within their respective spheres.—The witness replied in the affirmative and admitted that it was not always unlikely that one set of expert advice might be different from another and it was possible that local bodies might incur some loss by putting such different expert advice into operation. As a rule, the Boards had to accept advice from Government servant.

#### Mr. Barley's Evidence

The witness stated that the United Provinces Sarda Canal was now practically finished. It had 4,000 miles of main channels and distributories and was the longest canal system in the world. This system would supply water for irrigation to one million and a half acres of land, which would increase

by 50 per cent the land at present under irrigation in the Province. The approximate capital cost of the project is nine crores and a half. A loan had been raised for financing the project, which would be repaid in 80 years. If their scheme was sanctioned by the Secretary of State, the Irrigation Department would get a direct revenue from water rate and also revenue accruing from the enhancement of land revenue from water rate was about 75 lakhs and from enhanced assessment about 17 lakhs.

The witness told Sir John Simon that the measurement and assessment of water rate was done by the Irrigation Department but the actual collection was done by the District Officer of the Revenue Department.

Sir John Simon : Have the recommendations of the Lee Commission, as regards the percentage of European and Indian Officers in the higher service of the Irrigation Department been carried out?—So far as possible the formula laid down by the Lee Commission was being carried out. During the last 15 years they had recruited 40 officers to that service. Out of this 15 were Europeans. Of these two had left and 13 remained.

Sirdar Shivdev Singh Uberoi drew attention to the great corruption prevailing in the lower ranks of the Irrigation Department as a result of which poor cultivators were suffering. The witness admitted the existence of corruption among the low-paid lower ranks. The higher officers were doing all they could to check it.

Sir John Simon asked what they were doing to check this corruption—The witness explained the system of checking by which they sought to minimise the evil Indian officers were excellent as far as executive work was concerned, but they lacked initiative and owing to climatic conditions were not so energetic as Europeans. The latter served as spurs for the Indian element.

#### Mr. Blunt's Evidence

The last witness of the day, Mr. Blunt, Financial Secretary, examined by Sir John Simon, echoed the cry that the Meston Settlement had operated adversely against the United Provinces as the assessment on the basis of which the provincial contribution was fixed was not correct. With regard to land revenue they stood where they did previous to the Reforms except for an adjustment in the water rate by the Irrigation Department.

Mr. Blunt wanted certain powers to be vested in the Provincial Government for getting a part of the taxation which now goes entirely to the Central Government

#### 4th December—Mr. Sloan's Evidence

Mr. Sloan, examined by Sir John Simon, stated that he was the officer in charge of the compilation of the memorandum of the U. P. Government. He had been in the Service for 19 years during which period he had served in the Government of India, Home Department and had also put in considerable service in the United Provinces.

Sir John Simon summarised a part of the memorandum on which he wanted to examine the witness and asked him to correct him wherever he (Sir John) went wrong. There were 123 members of the United Provinces Legislative Council. Of these 100 were elected. Almost all the members were elected by single constituencies, of which there were 96. There were two special constituencies returning more than one member. The Oudh Taluqdars' constituency returned four and the Agra landlords elected two. Thus the total of 100 elected seats was made up. The remaining 23 were nominated members, of which not more than 16 were officials and five non-officials. Two members of the Provincial Executive Council were ex-officio members. Out of the remaining five one was a representative of the Anglo-Indians, one of the Indian Christians, one of the depressed classes and the remaining two were utilised for securing representation for communities or interests who had not otherwise in the opinion of the Governor obtained representation.

Sir John continued :—Then there is the power vested in the Governor to nominate two members with expert knowledge on any particular bill for a limited period but these members sit in the house and exercise the vote only when that particular bill is discussed.



Has the Governor exercised this power ? he asked.—The witness explained that in the case of the Aerial Ropeways Bill and in one or two other cases the Governor had done so. It was not peculiar to U. P. but had general application to all provinces.

Do you think this power to add two experts on particular bills has shown itself in U. P. to be useful ?—It has. It enabled the Governor to put on the Council the Vice-Chancellor of the Allahabad University, who took a large part in the discussion of the University Bill.

Sir John Simon : This is a very interesting provision in the constitution.

The witness explained that there were 373 members of the British Indian Association and that the Agra landholders had two constituencies, one North and one South.

What is the qualification for the vote as a landowner of the Agra Province ?—Payment of land revenue amounting to Rs 5,000 or ownership of land which if not revenue-free would be assessed for land revenue of less than Rs 5,000.

The chairman briefly read out the arrangements and divisions of constituencies into rural and urban as given in the appendix to the memorandum and noted that there was only one European constituency in the province. The chairman also noted that the Upper India Chamber of Commerce returned two members and the United Provinces Chamber of Commerce returned one member. Of the 90 general constituencies 29 were Moslems based on a communal electorate, 60 non-Moslem and one European. Of the 29 Moslem constituencies 25 were rural and four urban and of the 60 non-Moslem constituencies 52 were rural and eight urban.

How do you make up your rural and urban constituencies in this province ?—Towns with a population of 70,000 or over are included in urban areas, but towns which may have a population of even a little short of that figure are included in rural constituencies.

Sir John Simon : Now let us take the basis of the franchise in this province. A person has a vote if he is assessed to income tax. Secondly he will have the vote if he is a resident landlord and is assessed to land revenue of Rs. 25 per annum. These are ownership voters. Then tenants have votes if they pay a rent of Rs. 50 per annum. Then I think there is a provision for towns where the test is ownership or occupation of a house of a rental value of Rs 30 monthly. Why was this difference made between land revenue and rental qualifications ?—Because at the time that this qualification was fixed the land revenue assessment was nominally fifty per cent. of the rental. Hence the rental qualification was fixed at double the land revenue qualification.

Sir John Simon continuing his examination noted that the number of electors at the 1926 elections was well above 598,000. Can you tell, he asked, roughly what would be the adult population of the U. P. ?—At the 1921 census the population of twenty years and over was roughly 24,000,000, that is, both men and women. The actual figure of adults between the ages of 20 and 25 years is about 4,000,000.

Then it comes to this, that out of a total adult population of 24,000,000 only one million and a half have the franchise. I notice that there has been a steady increase in the total of electoral rolls. What is this due to ?—The increase has been largely in the urban constituencies where it is ascribed to the rising rents and the awakening of political interest.

Sir John : I see if people get keener about exercising their vote they take a greater care to get themselves registered.

#### Mr. Dodd's Evidence

Mr. Dodd, Inspector-General of Police, United provinces, was the last witness of the day to be examined by Sir John Simon.

The witness stated that in this province the force under his control was divided into two branches, civil and armed. They were recruited originally as one force but after two years' training were divided into two groups.

Has there been any difficulty in carrying the Budget demands of the police as a whole ?—There was no difficulty in carrying the Budget as a whole but minor cuts were several times carried. Sometimes the Governor certified the cuts and restored a demand. There had been reductions in criminal investigation on the

part of the police budget. If it was not restored by the exercise on the part of the Governor of his power of certification then they respected the cut made and cut down expenditure in the direction suggested by the cut.

Sir John Simon elicited the information that the reduction of the strength of village choudkars from 86,000 to 43,000 was not due to cuts in the police budget by the legislature, but had been done as a result of Government orders. He then gave figures of cases of murder, dacoity and rioting during the years 1926-27 as given in the police administration report for the year.

Continuing the witness expressed the opinion that the efficiency of the force had greatly increased and that corruption was decreasing from day to day.

Mr Dodd declared himself against the transfer of the police administration to ministerial control because ministers were subject to political influence and it would not do to entrust them with the police administration, who were responsible for the maintenance of law and order.

Asked by Mr Desanges the witness said that he would insist on a fifty per cent recruitment in the superior police service being reserved for Europeans.

Asked why the Inspector-General said British officers were much in demand by the public in connection with important investigation work, more particularly in communal cases—As a matter of fact when communal riots took place inquiry by a European officer was invariably demanded.

Mr Desanges: Don't you think on the same grounds certain percentage of Anglo-Indians among the subordinate officers are absolutely necessary?—I do not think it is necessary. Nevertheless personally I would like to see a proportion of them in the police force.

Questioned further, the witness told Mr Desanges that reserve inspectors who were previously always either Anglo-Indians or Domiciled Europeans were now being replaced by Indians. The witness was perfectly satisfied with the work of his Indian reserve inspectors.

Sir Hari Singh Gour: Why were there so many riots in the United Provinces?

The reply was that riots were on the increase because of the growth of communal spirit. Further, ever since the Non-co-operation Movement in 1921 a spirit of lawlessness had been generated and until it had totally subsided the people were prone to take to law on any pretext and break the law.

Sir H. S. Gour finally asked if the witness had found his Indian officers in the superior police service efficient and able. The witness replied in the affirmative.

Examined by Sir Zulfiakarali Khan, Mr. Dodd admitted that there was a general charge of corruption against the police. To remedy matters Government had stiffened the rules regarding punishments for corrupt practices.

#### 5th December—Ladies' Deputation

The Simon Conference received this morning a deputation of ladies headed by the Dowager Rani of Mandi and including Mrs Ahmed Shah and Mrs. Chitambar. Sir John Simon and Lord Burnham received the deputation outside the Conference Room and conducted them to the witness box.

The deputation submitted that out of one million and a half votes in the Provinces women possessed only 50,000. This glaring disparity between the proportion of male and female electors to their population was due to the fact that the same qualifications had been prescribed for females as for males. Women did not ordinarily possess property in their own names, nor did they pay income tax or house rent. They generally shared property with the male members of their family, the name of one or more of whom appeared in the electoral roll. With the awakening which had now come about among women, this state of affairs had handicapped them in taking part in the political activities of the country.

The deputation, therefore, urged that the franchise should not be based only on property possessed by the woman herself. They suggested that if a father or a husband possessed qualifications which were twice the minimum qualifications prescribed for men, daughters or wife of such a father or husband, respectively, should *ipso facto* acquire the vote. This would be in addition to those women who already possess the franchise by virtue of their possessing the necessary qualification in their own right. They further requested for four separate seats being reserved in the U. P.

Council for women for which the Provinces should be divided into four suitable territorial constituencies and in each of which women, who had reached a certain standard of education, say the upper primary or the middle class school certificate, should be registered as electors.

Sir John Simon : How do you and your deputation feel about the present franchise of women ? Do you think it is based on a proper principle, or would you suggest a change ?

Mrs. Ahmed Shah, replying on behalf of the deputation, said that it was not proper to apply the same franchise qualifications to women as to men. As conditions were, they did not allow of women possessing qualifications requisite for becoming voters. She suggested that unmarried girls should be allowed to exercise the vote if their fathers possessed the franchise qualification and married women should be allowed to vote if their husbands had the vote. Sir John Simon appreciated the point put forward by the deputation and gave the analogy of female franchise in England where the same difficulty had arisen because similar qualifications were required of women.

Sir John Simon : Do you think that in these Provinces women voters have begun to take real interest in political affairs ?

Mrs. Ahmed Shah : It is undoubtedly beginning to grow, but at present women do not go to the polls, either in U. P. or in any other province.

Sir John Simon : Did you as a member of the Local Legislature find many women coming to you for help and advice ? Do you think they are interested in political matters ?—There was a conference of women of Lucknow and I was given a mandate to press for the reservation of two seats for women in the Legislative Council.

Sir John Simon : Women members of the House of Commons give advice to women organisations on political matters which specially concern women.—She said in reply, that there was at present no woman Legislative Councillor in U. P.

Sir John Simon pointed out to the deputation that there was a large body of public opinion in India which did not look with favour on the idea of making special provision for special classes or sets of people. It was desirable for all citizens to be interested together in public questions, but he supposed it was very unlikely for some time to come that men voters would cast their votes in favour of women candidates in preference to men candidates.

Mrs. Ahmed Shah stated that women at present could not go and canvass for votes among men. Therefore, she felt that for some time at least reservation of seats for women was necessary. She did not want nominated seats but four elected seats, constituencies for which might be made by a suitable territorial division of these Provinces into four parts. Women, she said, were taking part in social uplift, medical relief and maternity welfare. They had at present no representation on local bodies.

The Provincial wing pointed out that there was one woman Municipal Councillor in Allahabad and she had done useful work on that body.

Sir John Simon : In England also we had a long record of good work from women on local bodies before they began to take interest in Parliamentary matters.

Mrs. Ahmed Shah : We can do a lot on local bodies provided we get a chance of being there.

Lord Burnham was informed that women were taking increasing interest in medical education and there were many medical practitioners in these Provinces and in the Department of Public Health.

Major Attlee was told that a growing number of women were taking to the teaching profession and were likely to be more and more interested in politics.

Mr. H. C. Desanges wanted to know whether, if the franchise were extended, women in purdah would take the trouble of coming to the polls.—The witness suggested that the difficulty could be overcome by registering their votes by post.

Replying to Sir Arthur Froom, Mrs. Ahmed Shah said women suffered under many disabilities and although men were sympathetic towards women they would like to have direct representation in the Council.

To Raja Nawab Ali she answered that the literary qualification for women should be based on their knowledge of any one vernacular or language of those provinces.

Sir H. Gour wanted to know if by representation of women their disabilities would be removed and if men's point of view differed from theirs.

Mrs Ahmed Shah : We do acknowledge the generosity of menfolk (laughter) but women councillors are to safeguard our interests.

To Sir Zulfiqar Ali Khan the witness recommended the creation of separate polling booths for purdah women voters, where special purdah arrangements could be made and presiding officers must be ladies.

#### 7th December—Deputation of Br. Indian Association

A deputation from the British Indian Association (the Taluqdars of Oudh headed by Mr. Habibullah and consisting of Raja Surajbakhsh Singh, President of the Association, the Raja of Jehangirabad, Rana Umanathbakhsh Singh, Raja Bahadur Bisheshwar Nath, Raja Shanker Sahai, Lala Praghnarain, Thakur Rampartap and Raja Bahadur Kamakhyadayal waited on the Conference this morning.

Examined by the Chairman, Mr. Habibullah stated that his Association had 405 members. The Association was established in 1861, and at that time membership was voluntary. But since, membership was obligatory on all taluqdars and they all had to subscribe to the funds of the Association.

Sir John suggested that there must be some law or statute by which membership had been made compulsory—Witness could give no law under which this provision had been made. All members of the Association had to contribute 4 annas per hundred rupees of their income to the funds of the Association.

Continuing, witness stated that the Southborough Franchise Committee and the Local Government had recommended the reservation of five seats in the Local Council for their Association, but only four had been provided under the present constitution. He recommended enlargement of the present size of the Council to a membership of between 250 to 260 but of which 225 should be elected from general constituencies and the rest filled in by special interests. He wanted seats reserved for his Association to the extent of 6 per cent. of the total elected seats in the Local Legislature.

Taluqdars, he said, served more frequently on local bodies than in the Legislature. There were at present three taluqdars who were chairmen of district boards. His class paid about 10 per cent of the total local rates and therefore, should have proportional representation there.

Further examined by Sir John witness stated that some landowners were returned to the Legislative Council from general constituencies in addition to the four elected by the Association from their special constituency. There were five such at present. Some landlords, who were not taluqdars and had not Government sanads were honorary members of the Association.

Sir John : So actually it comes to this, that your Association tries to represent the interests and discharge the duties of the land-owning classes, no doubt a very important class in Oudh, holding as they do two-thirds of the villages?

Continuing, witness stated that all communities were represented on their Association. The majority were Hindus, including about 4 Sikhs, forming 69 per cent. and Mahomedans were in a minority forming 31 per cent of the membership of the Association. His Association had many times returned Moslems to represent them.

Examined by Mr. Srivastava, witness said that there was no communal feeling among the members of his Association. He stated that district bodies had not taken full advantage of the opportunities offered to them by the Reforms. The sense of responsibility was lacking. Things, he hoped, would improve in future.

He recommended provincial autonomy with the reservation of Law and Order, because he thought the time had not yet come for the transfer of that subject.

Replying to Mr. Bisheshardayal, witness said that communal feeling had not disturbed them. They were taluqdars first and Hindus and Moslems afterwards.

There was a brisk passage-at-arms between the witness and Dr. Shafaat Ahmed Khan. The Doctor pointed out to witness that at the 1921 elections no Mahomedan had been returned by the Association. Witness replied that it was purely a matter of accident and not due to any attempt on the part of the Hindu members to exclude Mahomedan members.

Dr. Shafaat Ahmed Khan : Is not there danger that Mahomedans will not be elected by the Association?—What danger is there that Mahomedans will not be elected? It was only an accident in 1926 that the cousin of the Raja of Jehangirabad was not returned. So long as communal feeling is not present there is no danger of this.

Dr Ahmed Khan asked if witness would object to the introduction of a system of proportional representation.—Witness : Certainly. We do not want it at present, and if at any future date we should feel the necessity of such an arrangement we can do it by establishing a convention amongst ourselves without any statutory or legal provision for it. Dr. Shafaat Khan suggested that the Taluqdars did not safeguard the interests of small landowners.—Witness : Have you seen any legislation in which we have not safeguarded the interests of these zamindars? Though they might not be Taluqdars, their interests are not separate from ours.

Witness told Mr. Hidayat Hussain that he had no objection to representation of tenants, if the owning of property or the payment of land revenue remained the basis of franchise.

Mr. Desanges : Would you, as an Association, be prepared to recommend special representation for tenants as a class?—We have no objection to any provision being made for tenants so long as our claims for adequate special representation are recognised.

Replying to Mr. Bishesharlal witness said that in India at present there was an immense movement for attacking the landed interests from all sides, but at present their relations with the tenants were very good.

Sir John : Do you anticipate in view of the recent legislation which has given your tenants greater security of tenure?—They may claim to take more independent part in political affairs and cease to accept the position that they were represented by their landlords? Attempts are being made by Communists to alienate us from our tenants, but so far our relations are good and so long as we get special representation we do not mind the tenants getting representation for themselves.

Witness told Dr. Suhrawardy that members elected by his Association represented Taluqdars in the Legislative Council and not any particular community.

Mr. Habibullah informed Sardar Bahadur Shivdevsingh Uberoi that his Association had not considered the question of the introduction of a system of joint electorates in general constituencies. He informed Sir Zulfiqar Ali Khan that he had not come to prevent tenants from getting into the Council. He had come to ask for protection for his class and so long as they got that protection they did not mind anybody else getting their chance.

Dr. Shafaat Ahmed Khan :—Is it not a fact that the President of the Association is also President of the Hindu Mahasabha.—Yes, and another President of the Association was President of the Muslim League for a number of years. (Laughter)

Sir Harisingh Gour examining, witness further elucidated the point that the non-return of a Moslem from the Association's constituency in 1926 was purely accidental. Many prominent Hindu members had calculated that one Mahomedan would be returned and that it was not true to say that it was due to communal considerations.

Witness stood by the statement in their memorandum that the "rising tide of communalism ought to be suppressed." He was strongly opposed to any nomination except in the case of the depressed classes and labour interests. Nomination, he said, interfered with the representative character of the Legislature.

On the transferred side, he said, Ministers should have joint and not individual responsibility. He was not opposed to the idea of counterpoising special representation of the tenant class in the Legislature against the special representation granted to the Taluqdars, although he felt the tenants were quite content to be represented by their landlord. Witness would not agree to the Taluqdars being excluded from standing for election from general constituencies, even though they would have special representation of their own.

Replying to Sir Arthur Froom, Witness said that claims of different communities for representation on Cabinets would have to be considered. His Association had not considered the question of any change in the Central Legislature.

Before the deputation withdrew, Sir John Simon read out to the conference the

recommendations of the Montford report, the Southborough Committee's report and the despatch of the Government of India on the subject of the representation of the genuine aristocracy, of which the Taluqdars of Oudh were an outstanding example. The actual position, at present, he said, was this : Landowners, as such, had two representatives in the Council of State and in the Legislative Assembly. There was one representative from Madras, one from Bengal, one from Bombay, one from the Punjab, one from Bihar and Orissa, one from the United Provinces and one from the Central Provinces. In the U. P. Council they had six representatives

#### Upper India Chamber's Deputation

The deputation of the Upper India Chamber of Commerce led by Mr. A. L. Carnagie, President, and consisting of Messrs. J. J. Ryan, Secretary, Mr. T. Gavin Jones, M.L.A. and Mr. E. Sutter M.L.C. next entered the Conference room.

In an elaborate and short memorandum, which was later characterised by Lord Strathcona as an important document and a well thought out scheme the Chamber of Commerce strongly criticised the dyarchical form of government and the existing basis for the franchise. The Chamber pointed out that the result had been that electorates and their franchises were not such as would form a secure foundation for the legislatures, but were built in or thrust in under them none too confidently or securely. The result is a conglomeration of property and other qualifications, communally most uneven and educationally most unsound. The landholders are represented but the vast agricultural population of India is without adequate representation.

The Chamber recommended that the system of Panchayats should be developed which should be made more representative by permitting all adult male inhabitants of the village to vote in some summary manner for the election of Panchayats. The next step should be the establishment of electorate colleges and members of the Panchayats would be the lowest grade of such colleges and would elect, not necessarily, from among their own members, District Boards in rural areas.

It is regarded as an incontestible fact that, at present and for many years to come, communal representation must be resorted to in India. It would not be difficult to introduce a communal system, correctly based on the communal population, into the election of village Panchayats, of District Boards, or equivalent rural bodies in urban areas where educational conditions are better and where the significance and importance of the elective system is better understood.

Direct election to Municipal Boards should continue. District Boards and Municipal Boards, once elected, should be constituted electoral colleges for election again, not necessarily from among their own members, but of members to the Legislative Assembly and to the Provincial Lower Houses, it being part of the Chamber's proposals that Provincial Upper Houses should be established.

Functioning with District and Municipal Boards as electoral colleges, there would be other properly constituted elective bodies such as Chambers of Commerce and Trade Associations, Workmen's Unions, and Associations of Landholders, Provincial Branches of the European Association and the Anglo-Indian and Domiciled European Association and also the Indian Christian community (in certain provinces). These several electoral colleges would form general electorates for Provincial Council and the Legislative Assembly and, in addition, there would be special electorates.

In regard to the Provincial and Central Legislatures the Chamber recommends that the communal interests of Moslems should be protected by a sliding scale in which weighting given to Moslems increases as their numerical strength diminishes. Where Moslems are in a Census majority they are to have a proportionate representation, where they are weakest their proportion is to be doubled. Between these two extremes, the Census ratio of Moslems is to be multiplied by a factor greater than one and less than two.

Europeans should certainly have communal representation both in the Central and Provincial Legislatures and this should be distinct from and in addition to the special representation necessary for European commerce. Anglo-Indians should continue to be recognised as a separate community and should be given franchise to function as an electoral college. Indian Christians should be given franchise.

Owing to the backwardness of the depressed classes and their lack of education

any system of direct election would be unsuitable, but it is felt that the system of electoral colleges could be established in each province among the depressed classes and they could be given the right of election through this system.

Dealing with economic interests, the Committee of the Chamber opined that European commerce and Indian commerce should be accorded separate representation in both the Central and Provincial Legislatures. They consider it wrong to deny European commerce representation in the Assembly save by the nomination of one representative of the Associated Chambers of Commerce, while Indian commerce is privileged to elect members to the Assembly. There is no need for granting special representation to the Universities.

Examined by Lord Strathcona Mr Gavin Jones stated that dyarchy had failed because sufficient responsibility had not been given to Ministers. Ministers, the deputation said, should be stronger than at present. The executive should be made stronger and more stable in the Provinces. The deputation felt that constant heckling in the Legislatures had weakened the position of the executive. Permanent officers, who were not professional and expert politicians, should not be called upon to face criticism in the Legislatures.

The witness readily assented to Sir John Simon's suggestion that what they wanted was that as in England, political heads of departments should be responsible to the Legislature and should bear all criticism levelled against these departmental officers. Ministers would, of course, have the support of their party in the Legislature.

Lord Strathcona asked as to what the Chamber meant by "summary manner of franchise to village adults." Mr. Carnegie stated that it should be an oral election by show of hands and should not have any vast machinery.

Replying to another question Mr. Carnegie said that so far elected members had done very little to educate their constituencies, because constituencies in India were very large and unwieldy and it was very difficult for members to maintain touch with their electorates. Mr Carnegie did not insist on educational qualifications for members of District Boards. He deplored that collection of municipal taxation in India was not done in an efficient manner.

Lord Strathcona wanted elaboration of the idea of double chambers in Provinces. Mr. Carnegie stated the Upper House should be one-third of the Lower Chamber in size, the franchise for which should be on a restricted basis and comparatively high. There was real necessity for Upper Chambers with powers of revision.

Replying to Viscount Burnham, the witness thought that the indirect system of election proposed by them would secure greater responsibility on the part of electors and members. There certainly was danger in the experiment but the deputation thought it was worth trying.

Mr. Vernon Hartshorn pointed out to the witness that it had taken about 21 years to establish Panchayats in one-fifth of the villages in these provinces and asked how long it would take them to cover the whole province.

#### 10th December—Official Examination

Kunwar Jagdish Prasad, Chief Secretary, United Provinces Government, giving evidence before the Simon Joint Free Conference this morning, described the method followed by the U. P. Government in making appointments to the Provincial Executive, Police and Judicial Services, as also with regard to what are known as the listed posts in these services.

Examined by Sir John Simon, the witness stated that he had been Education Secretary, Industries Secretary and Chief Secretary, respectively, of the U. P. Government. He had been Reforms Officer, particularly in charge of setting in motion the elective machinery under the new scheme. The Collector was the administrative head of the district, with whom might be associated an Assistant Collector or Deputy Collector, who was known as Joint Magistrate. The total number of listed appointments in the executive service had been fixed at 25 in these Provinces, in accordance with the recommendation of the Lee Commission.

He explained that listed posts were those posts which, under the new scheme, were to be filled in by promotion from amongst members of the provincial services and which used to be filled by members of all India services. The Government

sent up the name of the candidate who was considered most suitable for such an appointment to the Public Services Commission for advice. So far as the witness knew, there had been no case in which the Public Services Commission had disagreed with the recommendations of the Local Government.

Sir John Simon : What is the material on which the Public Services Commission base their opinion ?—With our recommendation we send our reasons recommending a particular officer.

Continuing, the witness stated that there were 13 listed posts in the Police Service. With regard to promotions of Subordinate Judges to posts of District and Sessions Judges, the Chief Court of Oudh and the High Court of Allahabad sent their recommendations to the Local Government, who accepted the recommendation of either the High Court or the Chief Court and then forwarded it to the Public Services Commission for opinion before finally making an appointment or promotion.

Sir John Simon : How far does the recommendation made by the High Court or of the Chief Court, as the case may be, decide this matter of promotion ?—The Government decides whether to accept the recommendation of the High Court or of the Chief Court.

The witness, continuing, stated that a subordinate judicial officer did not migrate from Oudh to Agra Province. As a matter of practice, appointments and promotions in the Judicial Service merely followed the recommendations of the higher judiciary.

Sir John Simon : To what extent do communal considerations come into play in the appointment of Executive officers, Police officers and Judicial officers ?—We have definitely laid down that one-third of the appointments shall be reserved for Moslems. So far as vacancies are filled in on the results of competitive examinations two vacancies each year are generally filled in by direct nomination by the Governor. No communal proportion has been fixed for these, but, ordinarily, one is a Moslem and one non-Moslem.

The witness explained that the communal proportion rule was given effect to by selecting the first two Moslems and, if the Moslem candidates did not come among them, they went further down the list to select them, and, similarly, if the first two positions were taken by Moslems, then one would be taken and they will go further down the list to select two non-Moslems.

Further examined by Sir John Simon, the witness stated that no special rule for communal representation had been framed as far as appointments of Deputy Superintendents of Police were concerned, but the Governor-in-Council was empowered to announce the number of vacancies which were to be reserved in any year for particular communities. The rule for the representation of different communities in the services was negative rather than positive. It aimed at preventing undue preponderance of any one community in the services. The rule ran : "In making appointments the Local Government and the High Court will endeavour to secure due representation of different classes and communities."

Lord Burnham : I do not quite understand what is the exact function of the Public Services Commission in making these appointments. If they judge merely on the data supplied to them by the Local Government, is it not difficult for them to exercise any influence ?—The Public Services Commission is represented on the Committee which makes the preliminary selection before the examination is held.

Lord Burnham : Is a European debarred from entering this examination ?—The candidate must be a British subject of Indian domicile and must have been residing in U. P. for three years before the date of the examination. The witness informed Col. Lane Fox that the system of listed posts had been in existence since 1892, but its use had been increased by the recommendations of the Lee Commission.

Col. Lane Fox : Is it used as a means of increasing the proportion of Indians in the services ?—It means that officers of the provincial services occupy some of the appointments which would be ordinarily occupied by members of all India services.

The witness told Mr. Desanges that powers had been delegated to the Local Government by the Secretary of State, under Section 96-B-2 of the Government of India Act, for framing rules for the method of recruitment to provincial services.

Further examined by Mr. Desanges the witness stated that the proportion of



communities had been fixed so far as the executive services were concerned. Anglo-Indians were included in non-Moslems.

Asked if the Government would be prepared to accept a resolution of the Local Council fixing proportions for communal representation in the services, the witness said that he had no authority to give any opinion on that point. He was not in a position to say what ratio of marks were allotted to interviews at these competitive examinations, but said that interviews were a very important factor in adjudging the suitability of candidates for appointment to certain posts. There was no communal proportion fixed for appointments to the Secretariat.

Babu Ramcharan : Have you come across any case in which members of the depressed classes have been appointed to the post of Tehsildar ?—I cannot answer that question straight away. I shall have to go through the whole Civil List.

It was a matter of legal opinion whether there was any warrant in the powers delegated to the Local Government by the Secretary of State, under Section 96-B-2, to make provision for communal representation for the services. The Government had accepted the 1921 a resolution passed by the Local Council that competition would be a good way of getting suitable officers.

The witness preferred not to answer Mr. Srivastava's question as to whether the witness considered that all communities were properly represented in the services.

The joint examination of Mr. Lambert, Finance Member, and the Nawab of Chattari, Home Member, was then taken up in camera.

### 13th December—The Commission at Patna

The Simon Joint Free Conference reconstituted itself formally to-day with the addition of the B. & O. Provincial Committee.

Mr. J. A. Hubback, Special Reforms Officer, examined by Sir John Simon, described the allotment of nominated and elected seats in the Council.

The commercial and industrial communities of the province, he said, were represented by the chairman as a properly constituted Chamber of Commerce. The labour representative in the first two Councils after the Reforms had been nominated from amongst the employees of the Tata's at Jamshedpur and in the third Council their representative was a Railwayman from Jamalpur. A majority of rural workers in the coalfields were not regular workers. They took to this job in periods intervening between agricultural activity and slackness. They also took to it in times of famine.

The total number of registered voters in the province was 274,812, the male adult population of the province being 8,400,000. There was no female suffrage. He agreed with Sir John Simon that the percentage of voters to the total was rather small. He could not give any special reason for this. The franchise was mainly urban. The qualification for franchise in urban constituencies was an assessment for rent of Rs. 3. It did bring within the list a substantial number of the poorer classes. The witness agreed that in towns the franchise was lower than in the rural constituencies. For the former it worked out to be nearly half of the latter.

There were two kinds of voters in rural areas, ryots and land-holders. It was seldom that there was more than one intermediate interest between the tillers of the soil and the owners. In some parts, however, there were tenure holders. In Bihar there was a majority of proprietors and ryots, and only in a few cases were there any tenure holders. Rent qualifications were different in different parts of the province. In some parts it was Rs. 65, in others it was Rs. 46, whereas in some it was only Rs. 16. Of rural Moslem voters 743 per thousand were ryots.

Examined by Mr. Vernon Hartshorn the witness stated that in the first Council after the Reforms there were two professional politicians, in the second nine and in the third 21. Pressed by Mr. Hartshorn, the witness defined a professional politician as one who appeared to have very little other means of livelihood than his political status. (laughter.) Further examined, the witness stated that the landlords' constituency, with 389 voters returned five members to the Council, while the Europeans with about 2,000 returned only one.

He went on to explain that in pre-reform days the landholders had very considerable influence in this province over the way in which the administration was carried on and, when the chamber was reformed, it was the opinion of the Secretary of

State, the Government of India as that of the Bihar and Orissa Government that it would be proper to maintain, to a considerable extent, the same representation of this class in the Local Council so as to ensure that that influence was not entirely withdrawn. The landholders, by reason of having this special representation, were not debarred from contesting general constituency seats, but very few had been successful.

Questioned by Col. Lane-Fox the witness said that some candidates of superior status refrained from contesting the elections because the constituencies were very unwieldy. Unwieldy constituencies resulted in the election of members who represented nobody but themselves. He agreed with the Colonel's suggestion that indirect election might improve matters. He had not considered any scheme for such election, but he suggested that the scheme put forward by the Minister, Sir Ganeshdutt Singh in this respect might be useful. He further said that the same system might apply to elections for the Assembly and certainly, the possibility of applying it to the Council of State would be worth exploring.

Major Lane-Fox. In England we look to University representation to give us men of letters and learning. Do you get the same results in this province?—I do not think that the same results have been obtained in this country.

Examined by Lord Strathcona, the witness said that there was no limit fixed by law to the amount of expenditure to be incurred by any candidate for election and also, there was nothing to prevent candidates from employing paid canvassers.

Lord Strathcona: Has the Government or members done anything to make such a provision either by law or by the drawing up of rules like the Government servants' conduct rules?—Neither of them has done anything and the Government did not think it desirable to do so without the initiative of the Council.

Replying to Major Attlee, the witness said that the proportion of seats had been arrived at by considering the political importance of different areas. Endeavours had been made, by imposing different standards of franchise in different areas, to give seats in the ratio of their relative political development. In the Council there was no marked pull between the Bihar and Orissa members. There was a certain number of Moslems who ordinarily acted together and members of the Swaraj Party acted together on Tenancy questions.

Replying to Major Cadogan the witness stated that trade unionism had not developed to such an extent as to affect the elections.

Sir Arthur Froom was told that, in addition to two nominated representatives of the aborigines, there were two other representatives of the aborigines who had come in by election from general constituencies. Thus there were four members out of 34 in the Council who represented five millions of aborigines.

Questioned by Sir H. Gour, the witness said that at times the Ministers had to rely on the vote of the official bloc in the Council to keep them in office.

Sir H. Gour: How far do you think it detracts for ministerial responsibility?—It does certainly do so.

Continuing, the witness stood by the statement in the memorandum that there had been considerable ill feeling between Hindus and Moslems in the province during the last four years and separate representation was a contributory cause of this, but the general struggle for powers between the two communities played a good part in this ill-will between them.

Sir John Simon pointed out that the memorandum had put forth both sides of the argument before them.

Further examined by Sir H. Gour the witness agreed that the majority community had not used its majority to the prejudice of minorities.

Sir H. Gour: Do you not think, therefore, that separate communal electorates are now no longer justified?—That certainly is not the conclusion which I would draw from that passage in the memorandum.

The witness continued that the Moslem element in the Legislature would exercise a steadying influence of the constitution. He agreed that indirect election would give representation to a much larger number of the masses.

Sir H. Gour suggested to the witness that, perhaps, by making it compulsory for the University representative to be a man of letters or prescribing some other

academic test, it might be possible to get educational experts as University representatives.

Sir John Simon : That is a very interesting suggestion. I think, like England, there is nothing to prevent persons who are not University men from standing from those constituencies. He gave instances of University representatives in England who were very distinguished scholars, but University electors did not withhold their votes from a candidate merely because he was not a man of letters but because of his political views. There was the case of Mr. Gladstone who had been rejected by the Oxford University because of his political views. The first words he had uttered at Manchester after his defeat were "gentleman, I stand before you unpuzzled".

The witness could not make any definite suggestion for replacing the nominated representation of the aborigines by elected representation. Indirect election might serve the purpose but there would be great administrative difficulties in carrying on the elections. He would not like to take on that job.

The Chairman's suggestion for the formation of a sub-committee of the Conference like that formed in other provinces for considering in detail all matters concerning the depressed classes and the aborigines and reporting to the Conference was assented to readily by the Conference. The Committee will consist of Sir John Simon, Messrs. M. C. Rajah, Mubarak Ali, and Sarat Chandra Roy.

To Sir Hari Singh Gour the witness stated that indirect election would give less political education than direct election and might also dwindle the interest of the electorate at large in matters political. The witness suggested a system of co-option as a possible solution for the depressed classes.

Sir John Simon pointed out that if the representation of the depressed classes was continued by nomination, the existing rules would preclude the appointment of a depressed class member as a minister.

Replying to Sir Zulfikar Ali Khan the witness said that Moslems were not satisfied with their present 25 per cent. representation in Bihar and they wanted separate electorates. Asked if he could suggest a method of Moslem representation in the Cabinet on provincial autonomy being introduced, the witness said that it was extremely difficult to suggest any provision but Moslems could enter the Cabinet only as a part of a coalition.

Replying to Mr. Sarat Chandra Roy the witness said both the nominated representatives of the aborigines in the Council were Christian missionaries though the majority of the aborigines were non-Christians. The witness could not recollect if these two nominated representatives had put any question or moved a resolution in the Legislative Council during the seven or eight years of the Montford reforms.

Replying to Mr. Chandeshwar Prasad Narayan Sinha, Mr. Hubback stated that the landholders in the Council represented the interests of big landholders only. In some constituencies there was a strong element of ryots' representatives as distinguished from those of the Swarajists. The witness agreed that the presence of the official block made some members vote in an irresponsible manner.

Asked to state instances in which majority interests had gone against minority interests, Mr. Hubback said the action taken had not been positive but negative.

Mr. Mubarak Ali : Considering the hopeless minority of Moslems in the Chota Nagpur and Orissa tracts, would there not be the danger, in case joint electorates were introduced, of Moslems forfeiting even their security money ?—It may happen so in those parts.

Replying to Mr. Athar Hussain, Mr. Hubback admitted that no Moslem had so far been elected from the mixed landholders' constituencies in the provinces. The witness, being questioned if it was desirable to have safeguards for Moslem representation in the services, said that so far as it would be done each community should be represented in the services with due regard to efficiency.

Mr. Athar Hussain : Do you think it is necessary to provide for the representation of Moslems in the Cabinet ?—I shall not put it strongly as that.

#### Mr. Tallents' examination

Mr. P. C. Tallents, Financial Secretary, was examined mainly by the Chairman of the Conference. He agreed to Sir John Simon's suggestion that it would be better if he asked questions to elucidate matters which he had prepared with the help

of Mr. Rama Rau, Financial Advisor on behalf of the Government of India with the Commission.

Sir John proceeded to summarise the history of the financial position of the province. After the separation of Bihar from Bengal in 1912 it was necessary to come to some financial settlement with the Government of India. This settlement was based on the actual revenue and expenditure during the previous year. Under this arrangement Bihar and Orissa got the proceeds of half of the land revenue, half of the stamps, three-fourths of the excise and the whole of forests and registration. Land revenue in the province was permanently fixed except for certain areas in Orissa and therefore there was not much room for expansion of revenue from this source. The result was that during the years 1912-22 the increase of revenue in Bihar and Orissa was only 12·2 per cent. whereas the average increase for the whole of India was 30 per cent. The increase of land revenue in this province was only 4½ per cent. as against 21 per cent for the whole of India. Bihar and Orissa being the poorest province had been excluded from contributing anything to the Central revenues under the Meston Settlement.

Has the province made any contributions at any time?—Yes.

But these contributions, Sir John proceeded, have, as we all know, ceased now. The Meston Committee compared the previous expenditure of the province with the spending power which the province would have in the new financial arrangement and deducting the one from the other got at the figure of expansion of expenditure. They calculated on this basis that Bihar and Orissa would have an increased spending power of 51 lakhs a year. The salaries of Government servants had, however, been increased, which involved a recurring expenditure of 60 lakhs.

Further examined by the Chairman Mr. Tallents stated that since they could not meet their expenditure from the sources estimated by the Meston Committee the Bihar and Orissa Government had to resort to increased taxation. They increased the court fees, registration fees, water rate and excise duty. In spite of all these efforts to increase the revenue and keep on the right side they had to draw on their open balance of Rs 1,25,00,000 which now stood at the depleted figure of Rs 75,00,000. Witness added they had to meet the heavy demands of the nation-building services.

The analysis provided by Mr. Rama Rau to the Chairman of the Revenue Board during 1928-29 showed that land revenue was estimated to give 172 lakhs, or 30 per cent. of the total; excise 196 lakhs, or 34 per cent; stamps 109 lakhs, or 19 per cent. forests 10 lakhs or two per cent; registration 17 lakhs, or three per cent; irrigation rates 21 lakhs, or 4 per cent.; Miscellaneous 49 lakhs or 8 per cent. making up a total revenue of 574 lakhs.

The Chairman remarked that it was striking that the revenue from excise was larger than that from land revenue. The witness explained that the Government policy of a minimum of consumption was ensured by a maximum of taxation. The province was very rich in minerals. It produced 70 per cent. of the coal and mica and 90 per cent. of the iron of India. Most of the companies who were operating these mines had their registered offices in Calcutta or Bombay. Government of course did want to get a share of the income tax from these industrial concerns.

Comparing the figure of the actual collection of income tax in the different provinces Sir John Simon found that 67 lakhs were collected in Bihar and Orissa, 133 lakhs in Madras, 311 lakhs in Bombay, 569 lakhs in Bengal, 74 lakhs in the United Provinces, 69 lakhs in the Punjab, 207 lakhs in Burma, 39 lakhs in the Central Provinces and 21 lakhs in Assam.

The witness explained that lately they had made an arrangement with the Government of Bengal by which the Bihar and Orissa Government got back 85 per cent. of the income tax collected in Bengal but earned in the Central Provinces. They had also got some refund from the Central Government for income tax.

Further examined by Sir John Simon the witness stated that since the separation from Bengal his Government had not made any fresh irrigation works. They had received the canal system as a legacy and were suffering from losses which from 1912 to the present had amounted to about 55 lakhs in all.

(For Further Proceedings See 1929 Vol. II.)

# The Meerut Conspiracy Case

## Arrests and Searches

The following is compiled from bulletins issued by the All India Congress Committee from time to time :—

On March 20th the British Government in India started one of their periodic large scale campaigns of repression. Large numbers of people were arrested and hundreds of houses were searched. Ostensibly, the campaign was directed against communists. As a matter of fact however prominent Congressmen, Labour leaders and members of Youth Leagues were arrested.

Among those arrested were eight members of the All India Congress Committee:— Dr. Viswanath Mukherji, D. J. Thengdi, Kedar Nath Saigal, Sohan Singh Joshi, K. N. Joglekar, R. S. Nimbkar, S. A. Dange and Muzaffar Ahmad. Mr. Thengdi was an ex-president of the All India Trade Union Congress. Mr. Kishorilal Ghosh, the Secretary of the Bengal Federation of Labour, was also arrested.

Altogether 31 persons were arrested in this connection

*Bengal* : Kishori Lal Ghosh, Calcutta ; Gopal Basak, Dacca ; Gopendra Chakravarti, Dacca ; D. Goswami, Mymensingh ; Shib Nath Bannerjee, Khulna ; Philip Spratt, Calcutta ; Ajodhya Prasad, Calcutta ; Muzaffar Ahmad, Calcutta ; Shamsul Huda, Calcutta ; Radha Raman Mittra, Burdwan

*Bombay* : S. V. Ghate, S. H. Jhabwala, S. S. Mirajkar, G. M. Adhikari, D. J. Thengdi, K. N. Joglekar, R. S. Nimbkar, S. A. Dange, Shaikat Usmani, B. F. Bradley, M. G. Desai, A. A. Alve, G. R. Kasle.

*United provinces* : Dr. Vishwa Nath Mukherji, Gorakhpur ; Puran Chand Joshi, Allahabad ; Gauri Shanker, Meerut ; Dharmvir Singh, M. L. C., Meerut ; L. R. Kadam, Jhansi

*Punjab* : Kedar Nath Saigal, Abdul Majid, Sohan Singh Joshi.

The arrests were made under section 121A of the Indian Penal Code and the charge was one of conspiracy to deprive the King of the sovereignty of British India. Under this section an overt act is not necessary and only an intention is punishable. The maximum punishment is transportation of life.

Twenty three out of the 31 accused came from the presidencies of Bengal and Bombay and in the ordinary course they would be tried in the presidency cities of Calcutta or Bombay. A jury trial could be demanded in these cities and there were many other facilities obtainable there for the accused. The trial however was fixed for Meerut which was an out of the way place in the United Provinces. A jury trial could not be asked for there except by the two European accused, Spratt and Bradley.

Many of those arrested were taken for long railway journeys hand-cuffed and were kept in solitary cells in the Meerut jail. The food allowance for under-trial prisoners was five annas, equivalent to about five pence, a day. One of the accused, Choudhury Dharmvir Singh, was a member of the U. P. Legislative Council. He was arrested in Lucknow where he was attending the Council Sessions.

Among the hundreds of house searches carried out by the police were the offices of the Free Press of India, an Indian News Agency. Youth League offices were also searched in Bombay and elsewhere. The search warrants contained a special direction that books containing English poems, more particularly Southey's poems, should be taken possession of by the police. Many cart-loads of books and papers were taken away by the police.

The complaint in the Meerut trial was filed by an officer of the British Secret Service. In this an attempt was made to associate various organisations in India and elsewhere with the Communist International and to show that they were subordinate to it. The League against Imperialism was mentioned as one of the organisations "controlled by and subject to" the Communist International.

The Leader of the Congress Party in the Legislative Assembly on learning of these arrests immediately moved an adjournment of the House to discuss a matter

of urgent public importance. The President of the Assembly allowed the motion but the Viceroy intervened and disallowed it. The Government took up the position that as the matter was *sub judice* it could not be discussed in the House. Similar motions for adjournment were made in several Provincial Councils. They were allowed by the Presidents but disallowed by the Governors.

At a later stage, when the third reading of the Public Safety Bill was being considered by the Assembly, the President pointed out that the objection taken by the Government to the discussion of the motion for adjournment would apply equally to the discussion of the Bill as this would involve a consideration of many matters which were *sub judice* in the Meerut trial. He therefore suggested that the Government should either postpone consideration of the Public Safety Bill or drop the Meerut trial. The Government however refused to give up either the Bill or the trial and a dead lock was created in the Assembly.

The Working Committee of the Congress strongly condemned the policy of indiscriminate arrests and pointed out that these arrests and the Public Safety Bill and Trades Disputes Bill were a direct attack on the nationalist movement and were a menace to labour. They further condemned the choice of Meerut for the trial.

On May 2nd another series of arrests and house searches took place in various parts of the country, and specially in the United Provinces. Among those arrested were: in Cawnpore—Munishwar Prasad Avasthi, Sailendra Nath Ganguli, Anji Kumar Ghosh, Virendra Panday, Mahabir Prasad Panday, Ram Gopal Shukla and J. N. Das Gupta; in Benares—Anil Chandra Mukerji; in Mainpuri—Narsingha Dutt Sharma; in Lahore—Hansraj Vohra and Desraj.

House searches were made by the police in Allahabad, Delhi, Lucknow, Cawnpore, Benares, Lahore and Mainpuri. In Delhi the Congress offices and the Labour Union offices were searched. In Cawnpore the office of the *Pratap* newspaper and the house of Syt Ganesh Shanker Vidyarthi were searched. In Benares the Gandhi Ashram, an organisation devoted to Khadi work, was searched and its manager, Anil Chandra Mukerji, was carried off hand-cuffed to Lahore.

On May 3rd Dr. Satyapal, a member of the All India Congress Committee and one of the leading Congressmen in the Punjab, was arrested under Section 124A. He was taken hand-cuffed to Delhi.

The thirty one persons arrested on or about the 20th March were all gathered together at Meerut and at the expiry of every period of two weeks the police took a fresh remand. All bail applications made were rejected, one of the principal grounds for this advanced by the prosecution and accepted by the Magistrate being that the case had been started by the Government of India after due care and therefore it was very likely that the accused were guilty. The Government of India happened to be a party in the case and was deeply concerned in the prosecution. The preliminary enquiry in the case began on June 12, but the very next day an adjournment for ten days was granted. The hearing continued on June 24, and 25. These four days were occupied by the opening address of the counsel for the prosecution. This was a remarkable opening not often heard in law courts. It consisted chiefly of attacks on Russia. A remarkable feature of the proceedings was the presence there of the Director of Government publicity who took the trouble to descend on Meerut from the cool heights of Simla to supervise personally the publicity and propaganda arrangements in the case.

After the proceedings at Meerut had commenced an addition was made to the thirty one accused. H. L. Hutchinson, editor of the "New Spark", was arrested at Nagpur and brought to Meerut. Kedar Nath Saigal, one of the accused was also sentenced in another case under Section 124 I. P. C. (sedition) to two years rigorous imprisonment. He was taken to the Punjab to be sentenced and then brought back to Meerut.

### Government Statement in Assembly.

On the 21st March, in the Assembly, replying to a short notice question of Pandit Motilal, Mr. Cregar made the following comprehensive statement on the subject of arrests and searches. He said :—

'Under the authority of the Governor General in Council, a complaint had been laid against 31 persons from various parts of India on a charge of conspiring to deprive the King of his sovereignty over British India. The complaint was laid in the court of the District Magistrate, Meerut, and the court in the ordinary course of the law under the Criminal Procedure Code issued processes. In pursuance of these processes house searches and arrests have taken place in different parts of India. With regard to these I am unable at present to give full particulars as I am not yet in possession of complete information.

'The complaint, with the names of the persons against whom warrants have been issued, is as follows :—*For list see p. 65, lines 14 to 24.*

#### DETAILS OF COMPLAINT.

Mr. Crerar continued :—

'The complaint of Mr. H. Horton, officer on special duty under the Director of the Intelligence Bureau, Home Department, Government of India, sheweth :—

"(1) That there exists in Russia an organisation called the Communist International. The aim of this organisation is by the creation of armed revolution to overthrow all existing forms of government throughout the world and to replace them by Soviet republics subordinate to and controlled by the Soviet Administration in Moscow.

"(2) That the said Communist International carries its work of propaganda through various committees, branches and organisations controlled by and subject to itself *e.g.* the executive committee of the Communist International and various sub-committees of the same including the sub-committee concerned with Eastern and Colonial Affairs, the Communist Party of Great Britain, which is a section of the Communist International, the Red International of Labour Unions, the Pan-Pacific Trade Union, the secretariat of the League against Imperialism, the Young Communist League and various other bodies.

"(3) That the ultimate objective of the said Communist International is the complete paralysis and overthrow of the existing Governments in every country (including India) by means of general strike and armed uprising. It has outlined a programme or plan of campaign which should be followed for the achievement of this ultimate objective. Among the methods so ordained are (a) incitement of antagonism between capital and labour ; (b) the creation of Workers' and Peasants' parties, Youth Leagues, Unions etc., ostensibly for the benefit of the members thereof, but in fact for the purpose of propaganda, the domination of such parties by Communists pledged to support the aims of the Communist International and the unification of such bodies under one control subservient to the Communist International ; (c) the introduction of nuclei of such Communists, with illegal objects as aforesaid, into the existing trade unions, nationalist bodies and political and other organisations, with the object of capturing the same or obtaining their support in the interests of the Communists International, (d) the encouragement of strikes, *hartals* and agitation ; (e) propaganda by speeches, literature, newspapers, celebration of anniversaries connected with the Russian revolution, etc. and (f) the utilization and encouragement of any movements hostile to the Government.

"(4) That in the year 1921 the said Communist International determined to establish a branch organisation in British India, and the accused, Sripad Amrit Dange, Shaikat Usmani and Muzaffar Ahmed, entered into a conspiracy with certain other persons to establish such branch organisations with a view to deprive the King-Emperor of his sovereignty over British India.

"(5) That thereafter various persons, including the accused, Spratt and Bradley were sent to India by the Communist International through the medium of one of its branches or organisations with the object of furthering the aims of the Communist International.

"(6) That the accused named in this complaint reside at different centres throughout British India and that they have conspired with each other and with other persons, known or unknown, within or without British India, to deprive the King-Emperor of his sovereignty over British India, and for such purpose to use the

methods and carry out the programme and the plan of campaign outlined and ordained by the Communist International, and in fact they used such methods and carried out such plan of campaign with the assistance of and financial support from the Communist International.

"(7) That the accused have met and conspired together as aforesaid, at various places within and without British India, and, amongst others, at Meerut, and in pursuance of such conspiracy as aforesaid, the accused formed the Workers' and Peasants' party at Meerut and there held a conference thereof

"(8) That the above named accused have committed an offence under section 121-A, I. P. C., and within the jurisdiction of this court.

"It is therefore prayed that the court will enquire into the above named offence."

'As stated above the complaint has been laid on a charge of conspiracy under section 121-A, I. P. C. in respect of which the case for the prosecution will be that acts had been committed falling within the terms of the section quoted, at various places and at various times extending over a period of several years. Owing to the comprehensive nature of the case, I am unable to give specific dates and places. Sanction for this prosecution was given on March 14 and the complaint laid on March 15.

As the case is now *sub judice* I am at this stage unable to give further particulars which might prejudice the merits of the case. Warrants of arrest have been issued only against persons in whose case the Government are assured that there is strong *prima facie* evidence, but search warrants have been issued in cases where there are good grounds for believing that important evidence in connection with the case might be recovered.

I hope the House will appreciate that the policy of the Government in this case is to bring before the courts under the ordinary law a conspiracy which in their views is an infringement of the ordinary law of the land and is an attempt to carry out in India the programme of the Communist International. It is not directed against propaganda and activities by any persons or organisations except those who are believed to have taken an active part in this particular conspiracy.'

### Prosecution Counsel's Opening Address.

The trial commenced on the 12th June before Mr. Milner White, Special Magistrate. The prosecution was represented by Mr. Langford James, while the defence by Mr. K. F. Nariman and others. Mr. James in opening his case declared that the accused in the case stood charged with conspiracy to deprive His Majesty the King-Emperor of the sovereignty of British India. The case for the prosecution was that the accused had sought to promote their aim by revolution. The slogan which most satisfactorily proved this was "Long live Revolution."

The majority of the accused shouted "yes, yes."

The counsel continued that this revolution which the accused had conspired to bring about and visualised was meant to be continuing and perpetual. They appeared to counsel to entertain hatred towards a large number of people, but most of such hatred was reserved for those Nationalists who cherished the attainment of Swaraj for India. The Indian National Congress was stigmatised as a misguided bourgeois body, which was to be captured or converted to the peculiar principles of the accused. Their opinions of some of the Indian Nationalist leaders were —

Pandit Motilal Nehru.—A dangerous patriot.

Pandit Jawaharlal Nehru.—A tepid reformist.

Mr. Subhas Chandra Bose.—bourgeoisie and ludicrous careerist.

Mr. Gandhi.—A grotesque reactionary.

Lala Lajpatrai.—A scoundrel, and politically dangerous.

Mr. C. R. Das.—A poltroon.

The quarrel which the accused had with men of Nationalist thought in India was that the latter's ideology was all hopelessly wrong.

Mr. Gandhi was charged with another crime by these people. He was religiously minded and there was no place for God in Communist ideals.

Mr. Langford James, continuing, said :



"It seemed to me while reading some of the newspapers that there was some tendency to dub these accused people as nationalists and patriots. They may be innocent, they may be guilty, but there is no question of their being nationalists.

"It must be fairly galling to them that this idea seems to have gone abroad. Each of these accused is, I repeat, an anti-nationalist. They would say they are internationalists, but the two words really mean one and the same thing.

"Their objective was, put shortly, to remove the Government of His Majesty King George in India and in its place put the Government of the Third Communist International.

"It might almost fairly be stated that it was in fact to substitute the Government of His Majesty by the Government of M. Stalin as he is now known.

"In fact it is the case for the prosecution that these accused are Bolsheviks, that they aim at Bolshevik ideals and that they endeavour to instal in India the same rule as exists in Russia.

"It appears to me that to be a Bolshevik of an unimpeachable character you require certain definite qualifications to which an ordinary man does not aspire. You don't love your country, you are anti-country, you are anti-God, you are anti-family; in fact you are anti-everything which a normal man considers decent if you are a Bolshevik of an unimpeachable character....." (Laughter on the benches of the accused)

Mr. James added. "You have ruthlessly to hate those who differ from you and as ruthlessly to kill them when the time comes. You must even have no sense of humour".

Mr. James then referred to the letter from Spratt and the other accused, published in the *Pioneer* some time ago, in reply to certain remarks made by Pandit Motilal Nehru with regard to the "Red" letters, and said that in this letter the accused had employed a very good argument for denying that the "Red" letters could have emanated from any Bolshevik conspiracy, namely, that in those supposed "Red" letters had occurred the phrase "God and the Soviet," which should be enough to make it clear that whatever their origin it was not Communist.

Mr. James said that he entirely agreed with this contention that there could be no God for the Bolsheviks, a large part of whose propaganda was directed towards destroying the belief in God, whether it be the God of the Christians, of the Moslems or of the Buddhists. If and when this reign of joy came into India, counsel was sure that the belief in the gods of Hinduism would also have to be destroyed. According to these gentlemen all the religions of the world must be destroyed. A large part of the propaganda of this party was directed towards murdering priests, desecration of churches, and setting up classes for all young men and children to preach the anti-God gospel.

Counsel continued: "Now, obviously no man with such an engaging mentality as I have depicted is a pleasant fellow citizen to have, but I agree that nobody could be indicted of a crime for holding these views.

"A man is entitled to hold whatever views he likes but Bolshevism is not merely an abstract philosophy, it is a rule of life; at any rate, its disciples have hammered out of it a working rule of life. There is a definite objective and there are definite methods by which that objective is to be gained.

"The prosecution proposes to argue that an agreement as a mere agreement to put in practice the creed of the Communist International and to carry out its programme *ipso facto* constitutes an offence under section 121-A whether (as we shall prove in this case) the programme has actually been carried out or not. I now propose to explain this creed as shortly as possible."

Mr. D. P. Sinha, one of the defence counsel at this stage objected to Mr. James's reference to the creed of Communism as irrelevant and requested the court to check him whenever he went into an irrelevancy like this. He hoped the court would not allow the Public Prosecutor to carry on propaganda against the accused under the guise of an opening address.

Mr. James said that he had most carefully considered the material of his address and he did not propose to introduce anything which was irrelevant, but if merely stating the case for the prosecution amounted to carrying on propaganda against

accused he was sorry he could not help it. If the accused had broken the law of the land in a manner which the public might think grotesque, it was not his fault.

Resuming his argument Mr. James said that a large number of people connected with the Bolshevik movement had indulged in ruthless bloodshed and a reign of terror at the direction of the Cheka, now known as "Ogtu." According to the programme of this body in Moscow violence, bloodshed and civil war and a reign of terror were unavoidable. Counsel, therefore, proposed to discuss in detail the origin, objective, organisation, methods and tactics of the Third International. He proceeded :—

"It will be remembered as a matter of history that in the early part of 1917 a revolution took place in Russia. At that time the Bolshevik Party, which means the party of the majority (which is a ludicrous misnomer, because I am sure this party even now is in a minority; but this name comes from a certain conference held in London at which the left wing of this party was in favour of a large programme), went back to Russia and in the early part of February, 1917, accomplished a revolution, seized the Government of that state and deprived the Czar of his sovereignty. A new government was established in Russia, known as the Kerensky regime. Later in the same year another Bolshevik organisation overthrew this rule of the Kerensky by carrying through a revolution and this body later came to be known as the Communist Party of Russia.

"I have spoken of the Communist International. It is not the same thing as the Government of Russia. Ostensibly and outwardly, in fact it has exactly the same objective and the same plan as this body of people which came into existence as described by me earlier.

"In 1864 was established in London the First International, that is to say, an International of Labour, and in 1889 was established in Paris the Second International. This Second International was in existence at the beginning of the Great War and it continued to exist and it still exists and is of some little importance in this case because it is known as the Yellow or Amsterdam International, from which is coined the phrase to be Amsterdamised (which means that you hold rational views with regard to the labour question and nationalism), and is one of the most hated things for the Communist Third International. It may be stated that this Amsterdam International aims at the establishment of Socialism by peaceful and constitutional methods, whereas the Third International holds most strongly that no such method is possible and there is thus war to the knife between this International, the real Red International in Moscow, and the Yellow International of Amsterdam."

Mr. James then discussed at length the creed of the Communist Party as propounded by Marx and Angel—the theory of class war and the dictatorship of the proletariat. These men advocated war between capitalists, or those who had a stake in the country, and the proletariat, or those who had no stake in the country. This was clear from the origin of the word proletariat.

Touching upon the creed and organisation of Communists counsel stated the millennium of classless community was found impracticable in Russia and could not be reached. Therefore, the present government, designated as a transitional stage, must continue for ever.

Counsel pointed out that this was a chimera for which two and half millions of men, women and children were butchered. The present Russian Government was a change from one lot of autocratic people to another lot of the autocratic people.

Lenin had prescribed blood red revolution for overthrowing capitalism. He had declared it as the duty of all Communists everywhere to bring about an armed uprising, with the aid of peasants and workers. Lenin had preached this doctrine both before and after the Russian revolution.

This doctrine was still glorified and commemorated on each Lenin Day, Russian Revolution Day and Sacco Vanzetti Day every year.

Referring to the present state of affairs in Russia Mr. Langford James said Russia was not a happy land at all. It was ruled by the Communists with the aid of a secret police service, and the Red army.

Proceeding, counsel stated that the Karl Marx theory of Communism was originally intended for industrial countries like Germany and England. The irony of things was that the experiment should be tried in an agricultural country like Russia.

The Communists, however, soon realised the difficulty of the peasants' question as the peasant in every country was of a conservative frame of mind. He loves his home country and the good things which the Communists want to root totally out. To strengthen Communism in Russia the promoters of this movement had to divide the peasantry into five sections setting one against another. The rich peasantry was to them outside the pale of the state.

At this stage the court adjourned till next day, the 13th June when Mr. Langford James continued his opening address.

He said he had been accused of placing his own interpretation upon certain matters and he therefore proposed to read out certain extracts from accredited books dealing with the objective of the Communist International.

It was clearly laid down in Bolshevik literature that the substitution of a proletarian state for a capitalist state was only possible by violent methods. Revolution was defined as "an act in which part of the population forced itself on another part by rifles, ammunitions and swords," that is by authoritative means.

The book, "A B. C. of Communism," stated that wolves could not be liked by sheep and without a stern, armed struggle with their antagonists Bolsheviks could not get a proletarian Government.

To further their ends, it was openly declared in the book to crush opposition ruthlessly and resolutely using, in extreme cases, terror. All stakeholders in the country must be killed, or ground down into submission.

Counsel next gave a vivid description of the Communist organisation. His rough chart indicated the various Communist bodies around a circle which represented the Comintern. It was the E. C. C. I. Executive Committee which on occasions expanded into the Plenum of the enlarged committee, and on occasions contracted into the Presidium of a smaller sub-committee. "We have got the honour of having among the accused one member of the Presidium" (Laughter).

Then there were other large committees, large only in name, as they were used as shop windows, but the working was done in the secretariat under Stalin, the General Secretary who was virtually the dictator of Russia. He had banished several notable Communists like Trotsky and Bukharin, because they disagreed with him.

Branching out from the Secretariat there were sub-committees of the E. C. C. I., namely, the Org (organisation bureau), the Ogpu (police), the Agprop (Agitation and propaganda department) which fomented revolution and an editorial staff to see that nothing except Bolshevik literature was published in Russia.

There also existed an oriental department which according to Mr. Langford James looked into our affairs (Indian affairs).

Added to these bodies were the Young Communists' International, Womens' International, now called as Rilu and the Peasants' International, the Teachers' International, Sports International and the War Resisters' International, all working against "White Terror."

Supposing the textile workers in Bombay struck work instantly, there would come from the Moscow Secretariat greetings and money from the International Textile Workers of the world.

The Headquarters of the Rilu was in Moscow. It claimed thirteen million organised workers in the world all to be used for the overthrow of capitalists. The Rilu and the Comintern were two separate bodies, but their aims and objectives were the same and were run by the same people.

Two other important bodies which had assumed humble sounding names and were working in Great Britain under Moscow, were the Workers' Welfare League and the Labour Research Department. These bodies, counsel said, had special interest for India.

It was through these bodies that Bradley and Spratt (accused) were paid their salaries for doing Communist work in India. When once these two bodies were short of funds in England they had to wire to Moscow and Bradley and Spratt received money in due course.

Amongst the Indian workers in England were Mr. Saklatwala, Secretary of the Workers' Welfare League, former member of the British Parliament who crashed in the last election along with other distinguished candidates.

There was Mr. C. P. Dutt who had written letters to the two accused, Ghate and Bradley, greatly appreciating the letters written by the latter about the mill strikes in Bombay and rejoicing over their work. The letters were written from the Labour Research Department and the Workers Welfare League whose offices were situated in the same premises in London. Dutt wanted to know the result of the Jharia conference, but they feared Mr. N. M. Joshi's influence would be too strong against the capturing of the Indian Labour bodies by Communists.

Counsel then proceeded to explain the relations between the Moscow International and the League against Imperialism. He quoted extracts from the writings of well-known Communists to show that the League was in fact an organisation subordinate to the Comintern and the E. C. C. I getting aid, financial as well as propagandist, from them. Among others he quoted from the writings of Comrades Wellimejuzberg, Chattopadhyaya, Bokharin and Khatami in which they expressed the opinion that the League against Imperialism was a body with great potentialities and as such it should be exploited by the Communist International by giving more aid to this body.

He then explained briefly the tactics employed by the League to introduce the virus of this party in the National and labour organisation existing in the country and then let it take effect there. The accused in the present case performed, counsel said, the task of introducing this poison into the Trade Union Congress and other bodies. They have even been successful in getting it affiliated with the League against Imperialism. They have tried to capture these bodies and if they found they cannot capture them, they have ruthlessly exposed the various national movements as bourgeois nationalists' reformist movements.

Mr. Langford James had not finished his address when the court adjourned further hearing of the case till June 24, when Mr. James continuing his address, informed that he would deal with Communist tactics and history of the present conspiracy and show that the tactics advocated by Communist journals and literature were faithfully carried out by the accused in furtherance of the Communistic ideals in India. The Third International was well aware that the nationalists in countries like India and Egypt were composed of just those elements against whom they had to fight namely, the bourgeoisie, but they decided to exploit them by associating with them, explaining all the while that the nationalists' ideology was wrong.

Mr. James, continuing, referred to the tactics used by Communist agitators in order to lead the workers and peasants or the organised revolutionary class to war. The public prosecutor read extensive extracts from the official reports of the Communist International in support of his contention. He went on: "I should like to say this that it is not necessary in order to constitute an offence under sec. 121-A, nor is it necessary to convict these accused of such an offence to prove that they belong to the Third International. We might show that they were carrying out work on these lines at the behest of this Third International. That is quite sufficient. That is not a necessary part of the indictment. They were, in the words of Mr. Spratt, on the Moscow road for Moscow reasons, with Moscow minds and, I think, that should be quite sufficient for any court of law. This conspiracy in India is not by any means confined to India. It has been fomented, directed and financed from outside. Various members of the British Communist party have taken active part in this conspiracy."

Mr. James, continuing, showed by reading letters, which he intended to prove when evidence came to be recorded, written by various Communists, how the British Communist party at the behest of the International carried on Communist propaganda among Indian students residing in various British universities, wherein M. N. Roy, who at that time was entrusted with looking after Communist interests in India, took a prominent part. Mr. James then read a report by Mr. Gladding who came to India to survey the position of the Communists in this country under the assumed name of the proceedings of the International Congress, edited by Mr. R. W. Robson, wherein he described the then condition of colonial countries. He then read certain letters alleged to have passed between some prominent Communists, describing the various activities of Upadhyaya, Dutt, J. I. Thomas and other members of the British Communist party in order to introduce a nuclei of Communism among Indian students abroad. Various methods were adopted by

them for the delivery of correspondence through fictitious addresses in order to observe secrecy.

Continuing, Mr. Langford James said that Bell, colonial head of the Communist party of Great Britain, arranged interviews between Mr. Saklatwala and a number of returning Indian students and showed photographic copies of the correspondence on the subject. Later Diwan Chamanlal, who was then in England also took some prominent part. His comrades however were not satisfied with him. He was described by one of them as 'vacillating Chaman' and by another 'champion acrobat' (Laughter). Interviews were held between Communist leaders in Great Britain and Messrs. Joshi, Chamanlal and Goswami, members of the Indian Legislative Assembly. With the exception of Mr. Chamanlal the former did not cut much ice with the latter. The British Communists tried their utmost to get young Indian students to join the movement for propaganda in India. Their idea was to form an Indian group in India. Counsel read copious extracts from letters of M. N. Roy and C. P. Dutt who gave general instructions to Indian Communists.

The next emissary to come to India was Mr. George Allisison. He had a bad taste as he came with a false passport as Campbell. He was a prominent member of the British Communist party and had also taken part in the Communist International. He formed the Labour Swaraj group in Bombay which was a Communist body. He could not do much as he was sent away owing to his using a false passport.

Proceeding, the Crown counsel said that on Dec. 31, 1926, arrived a third agent in the shape of Mr. Spratt, who came as a humble bookseller. (Laughter.) His profession in England was Communism (Renewed laughter.) He was also a member of the national minority movement, a branch of Rilu. He came out with instructions to carry on the fomenting of revolution in India. He was arrested in September, 1927, on a charge of sedition, but was acquitted. But certain documents were recovered from his possession. Amongst them was a letter from a bookseller's agency signed by Graham Pollard Page Arnott had given Spratt a letter of introduction to Dewan Chamanlal describing him as one interested in labour research work and requesting Diwan Chamanlal to give him all necessary help to save weary journeyings.

Spratt, said counsel, formed a 'Workers' and Peasants' party in Bombay. Its object was the attainment of Swaraj, ensuring political freedom of men and women by mass action, and in one letter it was stated that illegitimate means could be adopted. Spratt had also drawn up a syllabus wherein it was mentioned that industrial workers were the backbone of the movement which would lead to revolution, crisis, war, general strike, armed uprising, seizure of power, destruction of the State machine and erection of a new one on Communistic lines, but beginning with Socialist reconstruction.

Counsel next read several cryptic letters that had passed between the Communists abroad and Mr. Spratt. In one letter instructions were imparted to Spratt by stating that 'religion is a good stand-by, but avoid dogmatism. Much can be done by methodism.' The letter contained information that David was not well which really meant that Allisison had been arrested. Baker will give you help, meant that Saklatwala would do it. Dundee was the coded name for Madras. Counsel thought it was a great injustice to Calcutta. (Laughter.) Inside of Spratt's letters was a note full of figures like 26-7, 5-8, 1-4, 1-8 and lines of such figures. Counsel explained that these were codes and decoding was done through poetry books by previous arrangement. 26-7 meant twenty-sixth line and seventh word. There were other letters quite harmless, but in between lines were messages written with invisible ink which could be deciphered by means of chemicals. One of such messages instructed Spratt to get up a strong delegation for Canton to attend the Congress of Pan Pacific Trade Union Secretariat. Mr. Langford James remarked it was astonishing that a humble bookseller should concern himself with cryptic and coded letters about Communism and the Congress at Canton.

Mr. Langford James then read out letters, some original, some photographed, some found on the accused and some intercepted by the police during transmission through persons who travelled between India and Europe as laskers on board

various steamships. The first of these was found with Spratt. He regretted that he had not received the manuscript, which decoded, meant money and advised him to arrange a short advance through some friend of F. H. which decoded, meant Ghate in Colombo. There were references to Nelson who had failed to come to India and Hamid who, Mr. James declared, was at present in the dock under the name of Ajudhya Prosad.

The second letter was addressed to Desmond, which, Mr. James said, was the assumed name of Spratt. This letter dealt with the position of the Y. M. C. A. and the Methodist organ. Mr. James explained that Y. M. C. A. stood for the Communist party. The Methodist organ was *I. N. II.* or the *Indian National Herald*. The letter further informed Spratt that Nelson was not in a condition to travel but on the other hand there is an engineer who will be coming to Glasgow. In these humble terms, Mr. James explained, it announced the arrival to India of Bradley, because, according to the code, Mr. James explained, Glasgow stood for India. Spratt was further advised during the course of this letter to have a talk with Moosa, who the prosecutor said, was Muzzafar Ahmed. The subject of Methodists and Y. M. C. A. was too much, the two names becoming the same thing.

The third letter was again addressed to Desmond, namely Spratt, in which references were made to Saklatwala, Joglekar, Sambamurthi and Bharucha, under the secret names of Baker, Haig, Kunbu and Zhuroggu. All these and subsequent letters which Mr. James read contained in between the lines cryptic messages in invisible ink. He then read a draft letter from Spratt to the gentlemen from whom obviously the above mentioned letters had come. In this letter Spratt outlined his scheme for establishing an all-India English organ and estimated that it would cost about 2,400 pounds annually. Mention was made in this letter to some one having to travel from Lahore which would cost money. Mr. James here said he hoped to have established that the money had come to the accused from Moscow over the northern frontier of India and someone had to travel to the frontier to get this money and it was to this that reference had been made in the above mentioned letter. This letter also contained various references to Dewan Chamanlal, Muzzaffar Ahmed, Dange and Upadhyaya, as Mr. James explained, under various assumed names.

Mr. James continuing said that Bradley arrived in India by the ss. Ranpura on Sept. 27, 1927. He posed as a gentleman travelling for patent underground tiles. It was doubtful if he had sold any but this was an admirable tile for a merchant. Six days after his arrival in India writing home, he said he had been in touch with F. H. He informed the addressee that he had made an attempt to solve the riddle set by him and sent his solution which was really a cryptic message which had to be solved by a reference to Grey's Elegy and which Mr. James thought was certainly not a report on the underground tiles' market. According to the interpretation placed upon this message by Mr. James there were references to K. K. Karen, Ghate and other comrades. On Feb 2 Abid Ali, lasker on board the steamship Manora, was searched, said Mr. James and on him was found a letter addressed to R. K. Karen. Inside that letter was another envelope addressed to Ghate and inside that was another cover addressed to Jack and in this third cover was the note which Mr. James proceeded to read out to the court. This note mentioned the Salvation Army and the Theosophical Society, which of course, Mr. James declared, were fictitious names for the Communist party in India. The letter further referred to the commission to examine Mr. Robert's case and it went on to suggest that it would be necessary from the very beginning to make a direct appeal to the Brahmins to select their own leaders and stated that Nehru was visiting Mr. B and could not be of much use to them as he was rather like Gandhi in his ideas. Mr. James explained that Roberts meant India and the commission referred to was the Indian Statutory Commission. References were also contained in cryptic language to the Brussels Conference and to Messrs Purcell and Hallsworth coming out as delegates to the Indian Trade Union Congress referred to as the Theosophical Society and who were likely to have conveyed wrong impressions about things.

Continuing Mr. Langford James said that the International Textile Workers of the World sent from Moscow during the textile strike in Bombay 20,000 roubles

with comradesly greetings to the textile workers in Bombay. This money in the ordinary course would have gone to Jhabwala but the secretaryship had since been transferred to Joshi 'that terrible yellow man'. This put most of the accused up and they indulged in an angry correspondence for the money having gone to the wrong hands.

Hutchinson arrived in India in September last and took up Communist work in good earnest. This, counsel explained, was quite patent from the letters found in possession of Adhikari when he was arrested on May 30, 1928. Usmani with three others, Nasim, Shafiq and Alishan attended the Plesidium meeting in Moscow. Usmani was hailed there as Secunder Sur. He went there in the capacity of representing India and delivered strong speeches about Communist work in India which were duly reported in the *Impreco*.

Next day, the 25 June, Mr. Langford James, continuing his address, said that the activities of the accused in India consisted in faithfully carrying out the Communist programme contained in Communist literature and books. Spratt had assisted the formation of the Workers' and Peasants' party in Bombay and thereafter the activities extended to other provinces. A Workers' and Peasants' party was formed in Meerut last year when the whole of the Calcutta party's programme was accepted in toto. Here too 'Father Ambrose' (Spratt) played a prominent part. Counsel informed that he possessed a mass of evidence to prove that the strikes in Bombay and Calcutta were instigated and carried on and prolonged by the accused and they were proud of it. They made vigorous efforts to capture the Trade Union Congress in 1927 and last year. They persistently adhered to the Moscow clique. They had newspapers everlastingly preaching the gospel of Communism and their activities consisted in poisoning the minds of the youths in the country by the formation of Youth Leagues. Moscow had insisted upon it 'You should get hold of every child from his cradle and teach him class war.'

Mr. James, continuing, said that the accused had engineered, taken part in and spoken at various kinds of demonstrations which were intended by the accused to educate the proletariat in order to initiate them into the mysteries of class war and dictatorship of the proletariat. The accused organised demonstrations on the death anniversary of Lenin who stands before the whole world as the exponent of this creed of class war and dictatorship of the proletariat. If the accused celebrated the anniversary of the Russian revolution you could not be surprised if any sane man said that it was done because the accused wanted to see this revolution repeated in India. Then they organised demonstrations to celebrate the anniversary of the execution of Sacco and Vanzetti who were executed in America, because, if the pamphlet which was found on many of the accused was to be believed, they fell martyrs to the cause of Marxism and Leninism.

The public prosecutor further stated that another demonstration organised by the accused was May Day, which in Mr. James' time in Poland was a day of rejoicing but in these go-ahead days was regarded as the awakening day of labourers. At all these demonstrations, Mr. James declared, the accused made speeches, as he hoped to prove, wherein they lauded Lenin, that great martyr to this cause. At one of these meetings a resolution was passed praying for the peace of Lenin's soul and Mr. James felt that his resolution was rather like hitting that great martyr below the belt as he would not have appreciated these prayers for his soul, at least not during his lifetime. He read from various letters which, he said, had passed between the various accused and from the reports recorded in the minutes book of the Workers' and Peasants' party of Bombay to establish his contention.

Coming to the strike activities of the accused Mr. James said, reading from their minutes book, that they boasted of having captured and of controlling most of the big trade unions. The public prosecutor wanted the court to concentrate not on the number of strikes engineered by the accused but on the object behind these strikes. 'The object of these conspirators', he said, 'was to get hold in Bombay of all important, what I should call, strategic points'. They wanted to collar the railways, dockyards, tramways, commerce and textile industry and so on and they very largely succeeded in doing so. They proceeded on exactly the same lines at Calcutta and other centres. They captured all public utility and transport services. They even boasted of having captured the munition factory at Itchaky

and the arsenal at Kirkee. Their intention was, he had no doubt, to get a stranglehold upon all means of communication in the country and they attempted to do so, at any rate, up here in the north and it was only either because Mr. Usmani bungled in his job or something happened that they failed to capture the North Western Railway. But they did succeed in capturing the E. I. R. Union, the G. I. P. Railwaymen's Union, the B. B. and C. I. Union and the Northern Bengal Railway Union. The intention of these accused persons was, Mr. James declared, to bring about a general strike on an extensive scale on May 1, 1929. That was their immediate objective and it was upon this job that they were engaged when they were arrested. He went on to say that these gentlemen, as written in his report by the secretary of this party, had complete control over the textile industry in Bombay and most of their members were connected with the Girni Kamgar Union, now known, Mr. James believed, as the Red Flag Union, the G. I. P. Workers' Union, the Dock Workers' Union, the Municipal Workers' Union and lately had been added to the list of unions, over which this party dominated, the B. B. and C. I. Railway, the British India Steam Navigation Company, the Arsenal Labourers' Union at Kirkee and others. In pursuance of a perfectly definite plan in Bombay, from April, 1928, to October, 1928, there was practically a continuous general strike of all cotton mills—80 out of 84 struck. There was a very effective strike and during this time no less than 170 meetings were addressed by the members of this party in order to educate the proletariat and prepare them for the great day which was due to come.

Counsel enumerated a series of strikes engineered and carried on by the accused. There were two strikes even by scavengers in Calcutta, two jute mill strikes and the Asansol strike. Counsel read Spratt's letter to Page Arnot describing the Communist activities in fomenting strikes and appraising the work done by comrades in India. Workers, he had written, were being organised and educated towards a mass movement. There were definite attempts to capture the All-India Trade Union Congress which was sought to be affiliated to the Rilu or in the next alternative to the League against Imperialism. The ground was prepared at Cawnpore by getting a resolution passed lauding the object of the League against Imperialism. Affiliation could not be effected, according to the accused, owing to the intervention of Messrs Purcell and Hallsworth and the vacillation of Dewan Chamanlal. A letter, however, was later received from the Communist party in England that a promise for the affiliation of the Trade Union Congress to the League against Imperialism had been taken from Dewan Chamanlal and the latter would offer no more objection. This letter was dated Sept. 19, 1928.

Mr. Langford James next read extracts from letters to show that definite attempts were made to get workers' unions affiliated to the League against Imperialism and the minutes of meetings in India were sent to Moscow.

Mr. James then took up the thread of his argument and after describing how attempts were made in 1927 and again in 1928 to get the All India Trade Union Congress affiliated to the League against Imperialism gave interesting information as to how a committee was set up in Bombay with Spratt as convener to consider a labour constitution for India and also the Nehru Report. This committee held the opinion that the ultimate object of the Labour movement must be the establishment of an independent democratic Socialist Republic. The report on the Nehru Report is a wholesale condemnation of it on the ground that it is bourgeois and reactionary. At this meeting of the All-India Peasants' and Workers' Party Conference there appeared representatives of the Communist International and a member of the Labour Research department in Australia who delivered speeches at this conference which Mr. James submitted, were entirely Communist and in favour of the Russian system. Mr. James then described the part played by Spratt and Hutchinson in infusing Communist ideology in the minds of young men and young women through the agency of the Youth League. This party had been successful in capturing out of the existing youth bodies the Naujawan Bharat Sabha of Lahore. They had established study circles at Calcutta and other centres and books prescribed for the study of every young men and women were books like Stalin on Leninism, the A. B. C. of Communism and other Communist literature. Hutchinson and Spratt used to deliver lectures on Imperialism and allied subjects.



The whole idea underlying this youth movement, Mr. James said, was to carry on agitation for education and organisation among the working masses.

The Crown counsel then read extracts from the presidential address of Mr. Sohansingh Josh who presided over the first conference of the all-India Workers and Peasants in December last. Mr. Josh had said that the Workers' and Peasants' party did not now deny the general utility of non-violence as a tactics, but it was not necessary to follow it at all times and in all conditions. It was for non-violence, Mr. Josh had said, that the non-co-operation movement had failed. He had advocated demonstrations, strikes, meetings and Bolshevik literature to draw workers to the fold of the party and had urged mass movement and direct action leading to a general strike of all workers in the country. Messrs. Gandhi, Blass and Nehru had been vigorously attacked and the Nehru Report was thoroughly condemned. He did not like that the King, Governor-General and Governors should be retained in the constitution of the Indian Government. Their slogan was complete independence and complete freedom. Mr. Josh had foreshadowed in the address the coming war, the offensive coming from the capitalists of the world, which in the Bolshevik term, was characterised as 'white terror'. Russia, he had said, did not want war but it had to protect itself against imperialists. The existence of communism was considered essential because it would stand as a beacon light to the revolutionary activities.

Mr. James continued that the question was not whether the accused were members of the Communist party, but the question was whether they had entered into a conspiracy to deprive his Majesty of his sovereignty by class war and mass revolution. The orthodoxy or ideology of Bolshevism did not matter but what mattered was that the accused had imbibed Bolshevik plan and were putting it to action for the purpose which constituted an offence.

Counsel next gave a long extract from a lengthy letter written to Muzaffar Ahmad which did not reach the addressee as it was intercepted. The Communists in India had been urged to start an open and determined fight for the overthrow of Imperialism.

Mr. James, concluding, said that following this letter in December, 1928, they held a meeting at Calcutta and they definitely entered into a form of organised Communist party of India. They elected members to it. After having subscribed to the constitution of this party, whose name was the Communist party of India, (a section of the Communist International), nobody could say that he was not pledged to the creed and the objective of the Third International. The test which I propose to ask you to apply: 'Is there anybody among the accused who did not hold these Bolshevik revolution?' I for one should feel extremely sorry to see him convicted in this case.

When Mr. Langford James had sat down after having delivered the address lasting in aggregate for over 17 hours, Dewan Chamanlal made an application asking the court to hold under Section 443 of the Code of Criminal Procedure that as in this case European and British Indian subjects were being jointly tried together they should be allowed the benefit of provisions of Chapter 33 of the Code. The effect of such ruling by the magistrate would be, Dewan Chamanlal explained, that the accused would be straightaway committed to trial by the sessions court and jury without any preliminary enquiry. With the mutual consent of the defence and the prosecution counsel, it was agreed that this application should be allowed to remain in abeyance, pending the decision of the High Court on the application which the accused proposed to put in for the transfer of the case to some central station.

Mr. D. P. Sinha put in a formal application requesting adjournment under Sec. 527, which was granted and the 9th of July was fixed as the next date of hearing.

## The Assembly Bomb Case

Bhagat Singh and Batukeswar Dutt, the two accused in the Delhi Assembly Bomb case, were both sentenced to transportation for life at the trial held in Delhi on the 12th June 1929. In the course of a statement they made to the court they explained their motives in throwing the bombs in the Assembly. According to them these were thrown not with the object of taking life but to draw the world's attention to the conditions in India. The fact that in a crowded chamber no one was seriously hurt showed with what care to avoid loss of life the bombs were thrown. The Assembly, according to them, was specially chosen for this demonstration as it had been used by Government repeatedly to flout the National demand and had become a symbol of India's humiliation and helplessness. In the course of their statement to the Court, Bhagat Singh and Dutt said :—

"We humbly claim to be no more than serious students of history and the conditions of our country and human aspirations and we despise hypocrisy. Our practical protest was against an institution which since its birth has eminently helped to display not only its worthlessness but its far-reaching power for mischief. The more we have pondered, the more deeply we have been convinced that it exists only to demonstrate to the world India's humiliation and helplessness and it symbolises the overriding domination of irresponsible and autocratic rule. Time and again the national demand has been pressed by the people's representatives, only to find the wastepaper basket as its final destination. Solemn resolutions passed by the House have been contemptuously trampled under foot on the floor of the so called Indian Parliament. Resolutions regarding the repeal of repressive and arbitrary measures have been treated with sublime contempt and Government's measures and proposals rejected as unacceptable by elected members have been restored by a stroke of the pen.

"In brief in spite of earnest endeavour we have utterly failed to find any justification for the existence of the institution which, despite all pomp and splendour organised with the hard-earned money of the sweating millions of India, is only a hollow show and a mischievous make-believe. And alike have we failed to comprehend the mentality of public leaders who help to squander public time and money on so manifestly stage managed an exhibition of India's helpless subjection. We have been ruminating upon all this, as also upon the wholesale arrests of leaders of the labour movement. When the introduction of the Trades Disputes Bill brought us into the Assembly to watch its progress and the course of the debate, it only served to confirm our conviction that the labouring millions of India had nothing to expect from the institution that stood as a menacing monument to the strangling power of the exploiters and the serfdom of helpless labourers.

"Finally the insult of what we considered an inhuman and barbarous measure was hurled on the devoted heads of the representatives of the entire country and the starving and struggling millions were deprived of their primary right and sole means of improving their economic welfare. None who has felt like us for the dumb driven drudges of labourers could possibly witness this spectacle with equanimity. None whose heart bleeds for those who have given their life blood in silence to the building up of the economic structure of the exploiter, of whom the Government happens to be the biggest in this country, could repress the cry of the soul in agonising anguish, which so ruthless a blow wrung out of our hearts. Consequently, bearing in mind the words of the late Mr. S. R. Das, once Law Member of the Governor-General's Executive Council, which appeared in the famous letter he had addressed to his son, to the effect that the bomb was necessary to awaken England from her dreams, we dropped the bombs on the floor of the Assembly Chamber to register our protest on behalf of those who had no other means left to give expression to their heart-rending agony. Our sole purpose was "to make the deaf hear" and to give the heedless a timely warning.

"Others have as keenly felt as we have done and from under the seeming serenity of the sea of Indian humanity a veritable storm is about to break out.

We have only hoisted the "danger signal" to warn those who are speeding along without heeding the grave dangers. We have only marked the end of the era of utopian non-violence of whose futility the rising generation has been convinced beyond the shadow of a doubt. Out of our sincerest good-will to and love of, humanity, have we adopted this method of warning to prevent untold sufferings which we, like millions of others, clearly foresee.

"We have used the expression "utopian non-violence" in the foregoing paragraph which requires some explanation. Force, when aggressively applied, is "violence" and is, therefore, morally unjustifiable. But when it is used in furtherance of a legitimate case, it has its moral justification. Elimination of force at all costs is utopian and the new movement which has arisen in the country and of which we have given a warning is inspired by the ideals which guided Guru Govind Singh and Shivaji, Kemal Pasha and Riza Khan, Washington and Garibaldi, Lafayette and Lenin. As both the alien Government and the Indian public leaders appeared to have shut their eyes and closed their ears against the existence and voice of this movement we felt our duty to sound a warning where it could not go unheard.

"We have so far dealt with the motive behind the incident in question and now we must define the extent of our intention. It cannot be gainsaid that we bore no personal grudge or malice against any one of those who received slight injuries or against any other person in the Assembly. On the contrary we repeat that we hold human lives sacred beyond words and would sooner lay down our own lives in the service of humanity than injure any one else. Unlike mercenary soldiers of imperialist armies, who are disciplined to kill without compunction, we respect and, in so far as it lies in us, attempt to save human life. And still we admit having deliberately thrown bombs into the Assembly chamber.

"Facts, however, speak for themselves and the intention should be judged from the result of the action without drawing upon hypothetical circumstances and presumptions. Despite the evidence of the Government expert, the bombs that were thrown in the Assembly chamber resulted in slight damage to an empty bench and a few abrasions in less than half a dozen cases. While the Government scientist ascribed this result to a miracle, we see nothing but precisely scientific process in it all. The first two bombs exploded in vacant spaces within wooden barriers of desks and benches. Secondly, even those who were within even two feet of the explosion, for instance, Mr. P. R. Rau, Mr. Sanker Rao and Sir George Schuster, were either not hurt or only slightly scratched. Bombs of the capacity deposited to by the Government expert (though his estimate being imaginary is exaggerated) loaded with effective charge of potassium chlorate and sensitive picrate would have smashed the barrier, and lain many low within some yards of the explosion. Again, had they been loaded with some other high explosive with the charge of destructive pellets or darts they would have sufficed to wipe out a majority of the members of the Legislative Assembly. Still again, we could have flung them into the official box chokeful with people of note. And, finally, we could have ambushed Sir John Simon whose luckless Commission was loathed by all responsible people and who was sitting in the President's gallery at the time. All this, however, was beyond our intention and the bombs did more than they were designed to do and the miracle consisted of no more than deliberate aim which landed them in safe places.

"We then deliberately offered ourselves to bear the penalty for what we had done and to let the imperialist exploiters know that by crushing individuals they cannot kill ideas. By crushing two insignificant units, a nation cannot be crushed. We wanted to emphasise the historical lesson that *lettres de cachet* and Bastilles could not crush the revolutionary movement in France. Gallows and Siberian mines could not extinguish the Russian Revolution. Blood Sundays and Black and Tans failed to strangle the movement of Irish freedom. Can Ordinance and Safety Bills snuff out the flame of freedom in India? Conspiracy cases trumped up or discoveries and incarceration of all young men who cherish the vision of a greater ideal cannot check the march of the revolution. But a timely warning, if not unheeded, can help to prevent loss of life and general suffering. We took it upon ourselves to provide this warning and our duty is done.

"Bhagat Singh was asked in the lower court as to what we meant by the word "revolution." In answer to that question we would say that "revolution", does not

necessarily involve sanguinary strife, nor is there any place in it for individual vendetta. It is not the cult of the bomb and pistol. By revolution we mean that the present order of things which is based on manifest injustice must change. Producers or labourers, in spite of being the most necessary element of society, are robbed by their exploiters of the fruits of their labour and deprived of their elementary right. On the one hand, the peasant who grows corn for all starves with his family. The weaver who supplies the world market with textile fabrics cannot find enough to cover his own and his children's bodies. Masons, smiths and carpenters, who rear magnificent places, live and perish in slums, and on the other hand, capitalist exploiters, parasites of society, squander millions on their whims. The terrible inequities and forced disparity of chances are heaving towards chaos. This state of affairs cannot last and it is obvious that the present order of society is merry-making on the brink of a volcano and innocent children of exploiters no less than millions of exploited are walking on the edge of a dangerous precipice. The whole edifice of this civilization, if not saved in time, shall crumble.

"Radical change, therefore, is necessary, and it is the duty of those who realize this to reorganize society on a socialistic basis. Unless this is done and exploitation of man and of nations by nations, which goes masquerading as imperialism, is brought to an end, the suffering and carnage with which humanity is threatened today cannot be prevented and all talk of ending wars and ushering in an era of universal peace is undisguised hypocrisy.

"By revolution we mean the ultimate establishment of an order of society which may not be threatened by such breakdown and in which the sovereignty of the proletariat should be recognised and as a result of which a world federation should redeem humanity from the bondage of capitalism and the misery of imperial wars.

"This is our ideal and with this ideology for our inspiration we have given a fair and loud enough warning. If, however, it goes unheeded and the present system of government continues to be an impediment in the way of the natural force that are welling up a grim struggle must ensue, involving the overthrow of all obstacles and the establishment of the dictatorship of the proletariat to pave the way for the consummation of the ideal revolution.

"Revolution is the inalienable right of mankind. Freedom is the imprescriptible birthright of all. The labourer is the real sustainer of society. The sovereignty of the people is the ultimate destiny of workers. For these ideals and for this faith we shall welcome any suffering to which we may be condemned. To the altar of this revolution we have brought our youth as incense, for no sacrifice is too great for so magnificent a cause. We are content. We await the advent of revolution. Long live revolution."

## The Public Safety Ordinance

### ORIGIN AND PROGRESS

It will be remembered that the European merchants of Calcutta made representations to the Government of Bengal and the Government of India about the activities of certain persons in connection with the prolonged E. I. R. strike last year i. e., 1928. There were a large number of textile labour strikes in Bombay which were alleged to be the outcome of the passing of 18s. 6d. Ratio Bill in the Assembly and some millowners were averse to the activities of the labour leaders. Messrs Bradley and Spratt who from some accounts came to India at the instance of British Labour Research Bureau in London to study Indian labour conditions and collect statistics of wages, etc., were helping in the organisation of labour with their trained knowledge. During the Autumn session of the Indian Legislative Assembly at Simla last year the Government of India brought what is known as the Public Safety Bill to report at India's

expense foreigners whose stay in India was politically obnoxious. The Bill was very strongly opposed by the non-officials and deferred by the casting vote of the President.

The Bill was again brought with additional provisions about confiscation of money from abroad before the Assembly in February 1929 and inspite of powerful opposition was referred to a Select Committee which did not contain one member either from the Swarajist or Nationalist Parties. On the 20th March last 31 labour leaders were rounded up on a charge of conspiracy. The U. P. Liberal Conference passed a resolution drafted by Sir Tej Bahadur Sapru for the postponement of the Bill till after the close of the Meerut Conspiracy Case and Mr. M. R. Jayakar suggested the postponement of same in the Assembly. The Government did not take the suggestion and the Hon'ble the President made a statement suggesting either the withdrawal of the Meerut Conspiracy Case or the postponement of the Bill till the case was over, as any discussion would be *sub judice*. The Hon'ble Sir B. L. Mitter, the Law Member admitted in the course of his speech that the grounds for the Bill and the charges in the Meerut Conspiracy Case were same. The Hon'ble Mr. Crerar replied that the Government could not accept the speaker's advice and when the Hon'ble Mr. V. J. Patel commenced reading his statement on the 8th April two cracker bombs were thrown on the floor of the Assembly and pistol shots fired in the air and the Assembly postponed to the 11th April.

#### The Viceroy's Statement

On the 13th April H. E. the Viceroy issued the following statement in the Gazette of India :—

"In September 1928 my Government introduced in the Legislative Assembly a Bill to provide for the removal from British India in the interest of public safety of certain persons engaged in subversive propaganda. After long consideration and after the Bill had been referred to a Select Committee, which reported in its favour with certain amendments which were acceptable to my Government, the Bill on returning to the Assembly was rejected by the casting vote of the President.

"2. In January 1929 my Government impressed by the dangers of the situation, which appeared to them to have become still more marked in the interval, introduced in the Legislative Assembly a new Public Safety Bill based on the provisions of the original Bill as amended by the Select Committee and including powers to seize or control money or other valuables in certain cases. The Bill was by a majority of 11 votes referred by the Legislative Assembly to Select Committee. The Select Committee presented an unanimous report which my Government were prepared to accept. Before further proceedings were taken in the Assembly my Government found themselves in a position to take action against 31 alleged Communists on a charge of conspiring to deprive the King of sovereignty of British India. When the Bill, as reported by the Select Committee, was again before the Assembly for consideration, the President of the Assembly suggested that the fundamental basis for the Bill was virtually identical with that of the conspiracy case, and consequently that it would not be possible to argue the case for the Bill without arguing the case for the prosecution and making statements which were likely to prejudice the trial. The President accordingly advised my Government either to postpone the Bill till the conclusion of the conspiracy trial or to withdraw the conspiracy case and then proceed with the Bill.

"3. My Government in reply made it plain that in their view the further discussion of the Bill with due regard to the observance of the rule prohibiting reference of facts on which a judicial decision is pending need cause no inconvenience to the House or embarrassment to the Chair in maintaining the rule. At the same time he felt bound to question the power of the Chair to refuse to allow the Government to proceed further with the Bill at this stage. My Government further made it plain that they could accept neither of the alternative suggestions put before them by the President. They explained that they regarded the passing of the Bill as a matter of urgent importance to enable them to fulfil their responsibilities for the good government of the country and that they could not contemplate the withdrawal of a criminal case, the decision of which they regarded as essential in the public interests.

## THE PUBLIC SAFETY ORDINANCE

"4. The President of the Assembly after duly considering the reply of my Government affirmed his views on the 11th April 1929 and ruled that the further consideration of the Bill in the present circumstances was out of order.

"5. This ruling of the President debars my Government from asking the Legislature to give them the additional powers of which they conceive themselves to stand in need. The primary responsibility for protecting the foundations of the State rests upon the Executive Government. Neither I nor my Government can neglect that responsibility, even though the present circumstances have made it impossible to share it with the Legislature. We cannot ignore the fact that the men behind the revolutionary movements against which the Bill is directed will not stay their hands because the enactment by the Indian Legislature of preventive legislation is postponed. With this danger in view and with a full knowledge of much that can necessarily not now be publicly disclosed I conceive that it has become imperative for my Government to obtain the powers proposed in the Public Safety Bill without further delay. I have accordingly decided after careful review of all the facts to avail myself of the authority conferred upon the Governor General under Section 72 of the Government of India Act in order to issue an Ordinance giving to the Governor-General in Council the powers in question. The purpose of those powers is preventive. They will affect none who are content to employ their liberty in this country for legitimate ends, and the conditions under which they will be exercised, have been the subject of very full and careful consideration. I am fully conscious of the serious character of the personal decision which I have thought it right to take. But though the responsibility in this particular matter rests upon the Governor General, I have no fear that my action will not command the approval of that vast majority of India's people who have faith in India's future and whose first desire is to see their country prosperous, contented and secure."

## Text of the Ordinance

(Ordinance 1 of 1929)

The following is the text of the Public Safety Ordinance promulgated by H. E. the Viceroy :—

An Ordinance to check the dissemination in British India from other countries of certain forms of propaganda.

Whereas an emergency has arisen which makes it necessary in the interests of public safety to check the dissemination in British India from other countries of certain forms of propaganda, and for this purpose to provide for the removal of certain persons from British India and for the seizure or control of money or other valuables in certain cases ;

Now, therefore, in exercise of the power conferred by section 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance :

1. (1) This Ordinance may be called the Public Safety Ordinance, 1929.
- (2) It extends to the whole of British India, including British Baluchistan and the Santhal Parganas.
2. In this Ordinance, unless there is anything repugnant in the subject or context,—

- (1) "excepted person" means any person who is—
  - (a) an Indian British subject or
  - (b) a British subject ordinarily resident in India, or
  - (c) the subject of a State in India ; and a person shall be deemed to be "ordinarily resident" in India who, for a period of not less than five years immediately preceding the date on which the question of the application to him of this Ordinance arises,—
    - (i) has regularly resided or maintained a residence in India, or
    - (ii) has carried on any trade, business or profession or held any office or employment in India and for the purpose thereof has residence in India at regular intervals during that period ;
- (2) "order of forfeiture" means an order made under clause (i) of section 4 ;

(3) "person to whom this Ordinance applies" means any person (not being an excepted person) who—

(a) directly or indirectly advocates the overthrow by force or violence of the government established by law in British India, or the unlawful destruction of property, or unlawful interference with the ownership of property ; or

(b) seeks to foment or utilise industrial or agrarian disputes or other disputes of a like nature with the other object directly or indirectly of subverting by force or violence organised government in British India or

(c) is a member, or is acting in association with any society or organisation whether in British India or elsewhere, which advocates or encourages any such doctrine or activity as is described in sub-clause (a) or sub clause (b) of this clause, or which is affiliated to, or acts in connection with, any such society or organisation ;

(4) "prohibition order" means an order made under clause (ii) section 4 ; and

(5) "removal order," means an order made under section 3.

3. (1) If the Governor-General in Council is satisfied that any person is a person to whom this Ordinance applies he may, by order in writing, direct such person to remove himself from British India within such time and in such manner and by such route and means as may be specified in the order and not to return thereto without the permission in writing of the Governor-General in Council

(2) A removal order may further direct the person in respect of whom it is made to appear, within such time as may be specified in the order, before any Presidency or District Magistrate so specified and execute a bond, with or without sureties, containing such conditions to ensure his good behaviour pending his departure from British India as may be specified in the order

4. If the Governor-General in Council is satisfied that, for the purpose of the furtherance of any such doctrine or activity as is described in clause (3) of section 2,—

(a) any monies, securities, goods or credits have been or are about to be transmitted from any place outside British India to any place in British India by or on behalf of any such person as is described in sub-clause (a), sub-clause (b) or sub-clause (c), of that clause or by or on behalf of any society or organisation such as is described in sub-clause (c) of that clause, or

(b) any monies, securities, goods or credits, or the sale proceeds of any securities or goods, are intended to be applied in British India in accordance with any directions or instructions given from outside British India by any such person, society or organisation as aforesaid, he may by order in writing,—

(i) declare any such monies, securities or goods to be forfeited to His Majesty or, if they have not been brought into British India, that they shall be so forfeited on being brought therein, or

(ii) prohibit any person to whom any such monies, securities, goods, or credits have been or are about to be transmitted, or with whom they may have been or are about to be deposited or established, or in whose possession they may be from paying, transferring or otherwise dealing in any manner whatsoever with the same, save under and in accordance with the conditions of a licence in writing from the Governor General in Council in that behalf

5. (1) A removal order or order of forfeiture, or a copy thereof, may be directed for execution to any officer of Government or may be directed to any Local Government and executed by any officer to whom it or a copy of it may be enclosed by the local Government for execution

(2) A removal order or prohibition order may be served on the person in respect of whom it is made in the manner provided in the Code of Criminal Procedure, 1898, for service of a summons, and upon such service such person shall be deemed to have had notice thereof.

3 The Governor General in Council or any Local Government to which a removal order or an order of forfeiture has been directed, or any officer to whom such order has been directed or endorsed for execution under sub-section (1), may use all reasonable means necessary to enforce compliance with the order.

(4) In particular and without other prejudice to the generality of the foregoing power any officer executing an order of forfeiture may, with such assistance as he may require, enter upon and search for any monies, securities or goods referred to in

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the order in, any premises where they or any of them may reasonably be suspected to be and may seize the same :

Provided that the order of forfeiture, or the copy of it, as the case may be, shall first be shown to the person whom there is reason to believe to be in possession of the monies, securities or goods, and to the owner or occupier of the premises in which search is to be made, if such person, owner or occupier so requests.

(5) Where the person to be served with any order under this section is a corporation, company, bank or association of persons, the order or requisition may be served on any secretary, director or other officer or person concerned with the management thereof by leaving it or sending it by post addressed to the corporation, company, bank or association at its registered office or, if there is no registered office, at the place where it carries on business.

(6) Any charges and expenses incidental to the removal from British India of any person in respect of whom a removal order has been made and of his dependants if any and his or their conveyance to such place outside British India as the Governor-General may direct, may be borne by the Governor-General in Council.

6 The High Court may, on application made by or on behalf of any person in respect of whom a removal order has been made, set aside the order on the ground that such person is an excepted person, but on no other ground.

7. (1) Any person in respect of whom a removal order has been made may, within ten days from the service upon him of the order, appeal against the order to the Governor-General in Council on the ground that he is not a person such as is described in sub-clause (a) sub-clause (b) or sub-clause (c) of clause (3) of section 2.

(2) On receipt of the appeal the Governor-General in Council shall appoint for the hearing of the appeal a Bench consisting of three persons, each of whom has exercised for not less than five years the powers of a Sessions Judge, and shall lay before the Bench all the material facts and circumstances in his possession, or knowledge upon which the removal order is based.

(3) The Bench shall sit at such time and place and shall follow such procedure as the Governor-General in Council may in each case direct, and shall consider the facts and circumstances laid before it by the Governor-General in Council and report to the Governor-General in Council whether or not in its opinion the appeal should be allowed on the ground specified in sub-section (1).

(4) If the Bench reports that the appeal should be allowed on the above mentioned ground and that the order should be cancelled, the Governor-General in Council shall forthwith cancel the order.

(5) The person appealing against the removal order shall be given an opportunity to attend before the Bench in person or by pleader and show cause against the making of the order, and for this purpose the Benches shall, if he so attends, furnish him with a general statement of the grounds on which the removal order was based together with such details or particulars, if any, as the Bench, with the consent of the Governor-General in Council and the Bench shall, save as herein otherwise provided, treat all such facts and circumstances as confidential.

(6) The Governor-General shall extend the time specified in the removal order by such period, if any, as may be necessary to enable the appeal to be heard and final orders to be passed thereon.

8 (1) Any persons having a direct interest in any monies, securities, goods or credits in respect of which an order of forfeiture or a prohibition order has been made may, within fifteen days from the date on which the order is first executed or served, as the case may be, whether on him or any other person, appeal to the Governor-General in Council on the ground that there is not sufficient reason to believe that the monies, securities, goods or credits have been or are about to be transmitted or are intended to be applied for any purpose or in any manner described in clause (a) or clause (b) of section 4 ;

Provided that an appeal may be admitted after the period herein prescribed if the appellant satisfies the Governor-General in Council that he had sufficient causes for not preferring it within that period.

(2) On receipt of the appeal the Governor-General in Council shall appoint for the hearing thereof a Bench constituted as provided in sub-section (2) of section 7, and the provisions of that section shall apply for the purposes



of the appeal in like manner as they apply for the purposes of that section and the appellant shall be given an opportunity of attending, and if he does so, shall, subject to the provisions of that section as regards the confidential character of the facts and circumstances that laid before the Bench by the Governor-General in Council, be furnished with a general statement of the grounds on which the order under appeal was based, together with such details or particulars if any, as the Bench with the consent of the Governor-General in Council may include therein.

(i) If the Bench reports that the appeal should be allowed on any ground specified in sub-section (1) and that the order should be cancelled, the Governor-General in Council shall forthwith cancel the order.

(1) The Governor General in Council may require any bank or other person to furnish such information as the Governor General in Council may deem necessary for the furtherance of the purposes of section 4, and such bank or person shall thereupon be bound to furnish the required information if and so far as it is in its or his possession. (2) A requisition under this section shall be served in the manner provided in this Ordinance for the service of a prohibition order.

10 If any person in respect of whom a removal order or a prohibition order has been made knowingly disobeys any direction contained in such order, or if any person who has entered into a bond in pursuance of a removal order knowingly violates the conditions of any such bond he shall be liable to be arrested without warrant and shall be punishable with imprisonment which may extend to one year and shall also be liable to fine

11 If any person fails to comply to the best of his ability with a requisition made upon him under section 9 he shall be punishable with imprisonment which may extend to three months, or with fine which may extend to two thousand rupees or with both

12 Where a person contravening or otherwise failing to comply with a prohibition order or failing to comply with a requisition made under section 9 as a corporation, company, secretary, director or other officer or person concerned with the management thereof shall be punishable as provided in section 10 or section 11, as the case may be, unless he proves that the offence was committed without his knowledge or without his consent.

13 (1) If any person who has been directed by a removal order to appear before a Magistrate and execute a bond for his good behaviour fails within the time specified in the order to appear before such Magistrate or refuses to execute such bond, or fails to provide to the satisfaction of the Magistrate any sureties which he may be required by or under the order to provide, he may be committed to and kept in such custody as the Governor General in Council or the Local Government may direct pending his removal from British India

(2) A bond taken under this Ordinance shall be deemed to be a bond taken under the Code of Criminal Procedure, 1898, and the provisions of section 514 of that Code shall apply accordingly

14 No Court inferior to that of a Presidency Magistrate of the first class shall try any offence under this Ordinance, and no Court shall take cognisance of such an offence save upon complaint made by order of, or under authority from, the Governor General in Council.

(15) (1) If the fulfilment by any person of any contract or other legal obligation is interfered with by the execution of any order made under this Ordinance or by the necessity on the part of himself or any other person of complying with any such order or with a requisition under section 9, that execution or that necessity, as the case may be, shall be a good defence to any action or proceedings taken against that person in respect of the non-fulfilment of the contract or other legal obligation, in so far as it is due to such interference. (2) Save as expressly provided in this Ordinance, no removal order, no order of forfeiture, and no prohibition order shall be called in question in any Court or by or before any other authority whatsoever, and nothing in section 49 of the Code of Criminal Procedure, 1898, shall apply to any person in respect of whom any such order has been made. (3) No prosecution or other legal proceedings whatsoever shall lie against any person in respect of anything in good faith done or intended to be done under this Ordinance.

## The Bangalore Communal Disturbances

The following are the findings and recommendations of the Visveswarayya Committee regarding the Bangalore disturbances on the 30th July 1928 on the occasion of the annual Ganapathi procession :—

"The origin of the disturbance was due to the initial mistake made in allowing the contractor Nanjundaiva to build a niche for the Ganesha image without sanction from the authorities. But the dissatisfaction of the boys at the non-restoration was also justifiable and it gained impetus when encouraged by the local press and Hindu population. It would have been possible to end the situation at any stage had the departmental officers realized the seriousness of allowing delays in religious and communal disputes of this character. The Education Department delayed the restoration of the image and one step led to another and their cumulative effect was disastrous. The conspiracy theory advanced by Mr Abbas Khan cannot survive serious analysis. Mr Khan, the central figure in these disturbances, put forward the theory after the mob attacked (?). There may be individual agitators but they had no support from any section of the people. The conspiracy theory identifies those of the Dewan and the Government. As far as the Committee are aware there was no opposition to the Dewan on account of his creed or religion. The students might have reasons for dissatisfaction at the non-restoration of the image but they received bad advice from mob leaders and there is no justification for their invasion of the schools, the Central Jail and Carlton House and for these acts of rowdiness and pelting stones they are reprehensible.

"But many of the acts of the boys were inspired by youthful enthusiasm and indiscretion and there is no use in taking too serious a view of their behaviour. The Press requires some kind of regulation which could best be undertaken by a purely non-official advisory board. In the present state of the country and feeble state of public opinion, excesses on the part of individual papers are quite likely. We the committee, are convinced that shooting did take place. The majority think that shots came from both places and we also believe a number of Mussalmans with lathes came out of Mr Abbas Khan's compound and attacked Hindus who were unarmed. These Mussalmans also overturned the image. Simultaneously other Mussalmans emerged from the mosque, but the graver allegations about boys being dragged into Mr Khan's house or being murdered are unfounded. Our inference is that no one is dead or missing. As traces of the happenings might have been obliterated owing to the delay in investigation we have thought it right to recommend a further special inquiry into this matter to remove all traces of suspicion.

"The situation which arose with the outburst on July 30 was not handled in a manner that was to be expected from the custodians of law and order. There was no investigation, no house searches and no arrests although shots were fired and over 60 Hindus and six Hindu police officers were injured by Muslims with lathes. The next morning Government took the investigation out of the hands of the police with a view to entrust it to a Magistrate. The police if they had any interest in investigation lost it. The investigating officer was not relieved of his normal duties promptly, but four days later he was replaced by a senior man who was associated with Mr Khan in Municipal administration. By these changes and acts of omission and commission much of the evidence which would have revealed the true character of the occurrence was lost. The Government communiques, too, were vague and inaccurate in some important respects and erred in saying that the Deputy Police Inspector visited the school casually and discovered the niche and that there was no shooting all. The officers in the Education Department might have taken a more serious view of the case and acted more promptly. The military force called to keep order was commanded by junior officers who were not conversant with the law and rules. The Lancers treated the boys rudely but the boys were no less rude. The military were not guided by civil authorities in the act of dispersing the crowd. The Lancers showed great patience and steadiness and really saved the situation.

"The principal responsibility for anything that went wrong on July 30 in enforcing law and order must rest with the police and magistracy. The arrangements made by them to meet the situation were wholly inadequate. There was no organisation worth the name, no plan of operations, no concerted action on their part and no arrangement for keeping themselves informed by any effective measures of communication except meeting each other. The subordinate Magistrates in the city were not assigned any duties to guide the military or control the crowd. They took no steps to investigate crimes or institute house searches or effect arrests immediately. They could not identify a single offender though 45 men were admitted into hospital after the riot. There seems to be a disinclination on the part of police officers to take any action which might cast a shadow on Mr. Abbas Khan on account of his position. This may be seen in the lack of action when disturbances occurred near Mr. Khan's house. The District Magistrate and the Inspector General of Police and other senior officers were there immediately after the riot and heard all the reports and rumours but did nothing. Whether it was they were afraid to move in the case of such an influential person or what other motives there were has not been made clear. But there is no evidence to show that the police did nothing by reason of any Government order but it is unfortunate that the Government, either before or after, did not ask for or obtain reports or an explanation as is usual. When hundreds of people heard the shooting the Government were led to believe by their informants that there was no firing. For a considerable time after, no house searches or arrests were made. The police were anxious not to get mixed up and they were loath to take any initiative at all. It is this in difference or inaction which prevailed from top to bottom in the department that has justly roused public criticism and indignation.

"The only inference permitted to us is that the officers chiefly concerned failed to discharge their legitimate duties for reasons best known to themselves. Both the Deputy Superintendent and the Assistant Superintendent of Police were disinclined to act without orders from higher authorities. The Inspector-General of Police got inadvertently mixed up in the Mussalman crowd and being discovered to be a Hindu was attacked with lathies by Mussalman rowdies. It seems extraordinary that he should have got into such a crowd or should have been moving about on such an occasion without his uniform or attendant. The fact that there were more Mahomedans in the Police force might be a reason for officers not taking action promptly. The Inspector-General of Police should have acted with better decision. The fact remains that all officers responsible for taking action were not disposed to do so. The police and magistracy failed to discharge their duty that night. The whole force was paralysed and Government did not find fault with them. These acts of omission and commission have roused the indignation of Hindus who form more than 88 p. c. of the city population. The Hindus feel that there is a distinct disinclination on the part of Government officers not to take any action to punish the offenders. The main thing to be kept in view in the measures to be taken immediately is to conduct an investigation into criminal offences which are yet undetected by a special trustworthy agency and to punish offenders and it is for this reason that prosecutions before special courts to finish the work in two or three months is recommended. The irregularities and omissions have caused much dissatisfaction and led to extensive comments in the press but on the whole the incidents connected with the disturbances were themselves comparatively unimportant, but it was the breakdown of the Government machinery on the occasion that has created real apprehension and provoked just criticism.

"The principal offenders are persons who fired on the crowd, persons who are said to have emerged out of Mr. Khan's house and adjoining houses and assaulted the Hindu crowd. The allegation that boys were dragged into Mr. Abbas Khan's house and that four of them were afterwards lying face downward under suspicious circumstances needs further investigation by an impartial agency is necessary to satisfy the public. The police force should be strengthened by more men better paid and better housed in Government quarters. A better trained C. I. D. staff should be instituted and all officers and men in the police force should be trained in the use of firearms and Sub-Inspectors supplied with revolvers. The police force should be made representative of all communities. Some arrangement should be

devised under which all classes should have their fair share of Government appointments, and merit and industry must be the sole test for employment. A press advisory board of five members with an official secretary should be informed to watch the press and regulate it with a view to prevent its exceeding journalistic propriety. Government should help to start two good dailies. Since there is no real communal tension, no special measures to bring about communal harmony are necessary. The liberties at present enjoyed by the press and people in Mysore are no more than those conceded in British India and it will not be practicable to restrict their present freedom and liberty and insist on a lower standard of relation between the Government and people than is permitted in British India."

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## The Bombay Kidnapping Scare

The following statement was made by Mr. Crerar in the Assembly on the 13th February on the grave Hindu-Moslem riot in Bombay on the 3rd February and on subsequent days:

"As the House is aware the industrial labouring population in Bombay has for sometime been in a state of great unsettlement and as His Excellency the Governor-General stated in his address on the 28th January prone to violence. The events that led up to the present outbreak may be said to have started with the strikes that broke out on December 7 (1928) under the communist leadership at the oil companies installations. Oil companies engaged Pathan workmen in place of the strikers. Several disturbances arose in consequence between the strikers and the Pathans. On January 18, apparently as a result of a general ill-feeling between the Pathans and the mill hands three Pathan watchmen of New Chini mills were murdered by the mill hands. I understand that oil mill strikers were not concerned in this.

"The next incident and that which must be regarded as the immediate cause of the present outbreak, was that from 2nd February an entirely baseless rumour spread in Bombay city that children were being kidnapped and taken to Baroda to be sacrificed on the foundation of a bridge that was being built there. Millhands believed that Pathans were engaged in this kidnapping and on the 3rd and 4th February sporadic assaults took place on Pathans, a number of whom were murdered. On the 5th February, Pathans who had till then shown great forbearance started rioting and attacking the Hindus in their turn. Rioting spread between a mob consisting mainly of Hindu millhands and comparatively a small body of Pathans. Murders and assaults continued in various parts of the city. On the 6th February rioting became definitely communal, Pathans having enlisted sympathies of their religionists who were incensed at the attacks made upon them. Mobs of either community largely composed of hooligans assaulted individuals and groups of their community. On the 7th February, Hindu Mahomedan mobs renewed rioting in various parts of the city throughout the day and till late at night. On the 8th situation appeared quieter in the morning, but in the evening rioting broke out again. On the 9th communal rioting continued and some attacks were made by Hindus on mosques and by Muslims on temples and during the afternoon there were some cases of loot and arson, but comparatively little damage was done.

"Orders were issued prohibiting assembly of more than five persons in public places and prohibiting movement of the presence of any person between the hours of 7 p.m. and 6 a.m. in the streets of the area which comprised practically the whole of the city north of the fort. On the 10th the situation was quieter and on the morning of 11th there were less signs in the distressed areas. In the afternoon however a number of assaults and murders took place and in the evening the mobs or millhands killed three Pathans. Forty-eight mill-hands armed with spears, knives and iron bars were arrested in Chawl. On the morning of 12th there were signs that greater confidence was being felt by the public and

53 mills and Railway work-shops were working. I regret to say that total casualties reported up to the noon on 12th Feb. were 137 dead and 783 injured. The difficulties of dealing with the situation have been similar to those experienced in other large cities in recent years.

"There have been apart from mob action numerous assaults upon and murders of individuals, crowds frequently disperse into lanes and houses before the police and the military patrols can reach them or remain ostensibly peaceful so long as patrols are in the neighbourhood. The methods adopted by the authorities are to post at centres while patrols accompanied by Magistrates are continually on move in the disturbed areas. The military and the police have had to fire few rounds on fourteen occasions to disperse the mobs. The maximum number of rounds fired on any one occasion is eleven. The Government of Bombay are satisfied that they have sufficient number of police and troops on the spot to deal with the situation. British troops were first sent to the aid of the police on the 5th February. On the 6th February further British troops were posted to the city. On the same night one battalion of British troops arrived from Poona and two companies from Delhi in addition to the reinforcement of armed Police. On the 9th Indian Infantry Battalion from Santa Cruz was brought into Bombay and later the Auxiliary Force was embodied.

"I am glad to add that leaders of Hindu and Mahomedan communities have been co-operating with the Citizen Peace Committee in its efforts to restore peace. A number of arrests have been made and 493 had characters have been rounded as a precaution.

"I hope the House will recognise exceedingly the difficult conditions which the authorities in Bombay have had to face and will refrain from comment on the events and their causes until peace has been restored and it is possible to examine these things more fully and in a calmer atmosphere. I do not think that the Hon'ble member's suggestion of distributing fire-arms in large numbers is likely to commend itself to the local Government as means of restoring order. In any case, the latest news is assuring though isolated murders and assaults still continue and though it is not possible to say that rioting may not break out again, there are reasonable hopes that an end of these very deplorable events is in sight."

#### Non-official Version

The following from the *Leader* may be taken as the non-official version of the incident —

"The casualty list in Bombay has amounted to terrible proportions. The number of those killed exceeds one hundred and of those wounded is probably in the neighbourhood of a thousand. The real cause of this unprecedented outbreak of violence cannot be the kidnapping scare. It seems to be the aftermath of the prolonged strike. The Pathans, against whom the original fury of the labourers was directed, are notorious throughout India as usurious money-lenders. The rates of interest they charge generally range between 75 and 100 per cent. In Bombay they have been carrying on this lucrative business among the workers, and it is not at all improbable that he latter became heavily indebted to them during the strike. The methods resorted to by the Pathans in realizing their dues are not by any means civilized. Interviewed by a representative of a Bombay contemporary Mr K. S. Gupte, a prominent member of the non-Brahmin party, stated that he had talks with mill operatives, railwaymen, and men employed at the oil depots. The causes of the Bombay outbreak, he said, were far more deeply rooted than the people generally thought. "The fire had been smouldering for a long time and the rumour about the kidnapping of children had fanned it into flame. Hatred of the Pathan had been growing in the minds of the poorer classes... Among the poorer labouring classes the word Pathan was synonymous with the usurious, unscrupulous money-lender who exacts his dues by threats of violence." Mr. Gupte said that practically every Pathan in Bombay was a money-lender, and that "the present crisis was nothing more than the reaction against the terrorism practised so systematically by the Pathan money-lender."

"The millowners have been complaining that the depression in the mill industry has been due partly to the exchange policy of Government and that they had to

adopt certain measure in the interest of the industry to reduce the cost of production which led to the general strike of mill-workers. From this strike the latter suffered heavily and they must have incurred heavy debts to keep body and soul together. Were the Pathans their principal creditors? If they were, then a sort of connection, however indirect, is established between the exchange policy of Government, assuming that it produced the disastrous effects ascribed to it, and the present widespread trouble in Bombay .....

## The Jamrud Bombing Accident

The Army Secretary made the following statement on the Jamrud bombing accident in the Legislative Assembly on the 11th February 1929 :—

"The Commander-in-Chief has received and considered the report of the court of inquiry appointed to investigate the terrible accident that occurred at Peshawar on the 23rd January. The story of the accident is as follows :—

"Bombing practice with live bombs is part of the normal training in units of the R. A. F., and is regularly carried on by them over areas of ground which are reserved as bombing ranges, in the same way as artillery rifle ranges are reserved for use by the artillery and troops of the line. There is a bombing range in the neighbourhood of Jamrud which is used by the R. A. F., stationed in Peshawar. It had been decided by the local Air Force authorities that bombing practice should be carried on in this range on the 21st, 22nd, 23rd and 25th January. On such occasions the R. A. F. unit concerned is responsible for taking certain preliminary steps. It has to notify the district magistrate and obtain from him a statement that there is no objection to bombing taking place on the ranges on the dates mentioned. It has further to notify the superintendent of police, the tehsildar and the local military headquarters, in order that human beings and cattle may be safely cleared off the ground before the practice begins and in order that both the civil and military authorities in the station may be made aware of the fact that bombing is to take place.

"All these precautions were duly complied with on Jan 12 by the officer commanding No. 20 Army Co-operation Squadron, the unit of the R. A. F. concerned, and in addition a copy of the notice was sent direct to the officer commanding the Poonah Horse, as that regiment would be required, in accordance with the usual procedure, to provide four troopers and a non-commissioned officer to help in clearing the danger area of human beings and cattle at the times and dates mentioned in the notice of bombing practice which appeared in the ordinary course in the local military orders of the 16th January.

Some days later it was decided at short notice by the local armoured car authorities to repeat, for the benefit of an inspecting officer, a tactical exercise which had been carried out by the armoured car company over a large area which included the R. A. F. bombing range on Jan. 11. A feature of this exercise on both occasions was that a squadron of cavalry should enact the role of a party of raiders supposed, for the purpose of exercise, to be escaping from Peshawar over the border. It was a function of the armoured car company engaged in this exercise to cut off the supposed raiders before they could have made their way into the tribal territory. Arrangements were accordingly made by the officer commanding the armoured car company, Peshawar, through the authorities concerned, for the repetition of the tactical exercise which I have described, to take place on the 23rd January, which was the third of the dates already notified for bombing practice by the R. A. F. on their bombing range.

"On the morning of the 23rd the safety officer, that is the officer of the R. A. F. who was detailed for the supervision and clearing of the bombing range for live bomb practice, went down early to the range, where he met four sowars and the non-commissioned officer who had been sent to help him. It was raining, and a lorry,

which should have brought the Air Force personnel required for duties on the ground during bombing practice as well as the signals which are used on such occasions, had not arrived. The safety officer thereupon went back to the aerodrome at Peshawar, a distance of four miles, on his bicycle. He found the delay had been due to the fact that the weather conditions had not been very good and that it had not yet been decided whether the bombing practice would take place that morning or not. While he was there a machine was sent up to test the weather. The safety officer was meanwhile told to return to the range and clear it, and if no bombing had taken place by 10-30, to pick up and return. This was at about 9 o'clock. The safety officer accordingly returned to the bombing range, this time in a tender, accompanied by two armourers and an Indian driver, taking with him the signals required on the range. He made his preparations for clearing the range and sent out the sowars to remove any cattle and human beings at that moment. The 'C' squadron of the Poona Horse which had been detailed for tactical exercise appeared with two British officers, neither of whom appears to have known that bombing practice was to take place that day. The party were anxious to get across to the other side of the bombing range in order to carry out their part in the exercise. After some colloquy the safety officer agreed to the squadron crossing the ground as there was ample time for it to do this before the range was cleared. The squadron accordingly moved off, led by the two British officers, to cross the range. Meanwhile the safety officer proceeded to lay out upon the ground a signal which would be read by any aeroplane coming over the bombing range and which means "Await further signal: Do not bomb." He had only just finished doing this when a bomb fell from an aeroplane on to the squadron which was now some distance away, but still crossing the danger area. The officer who was piloting the aeroplane had arrived immediately before at a height of 4000 feet over the bombing range and had mistaken the signal to wait for a signal which means 'All Clear'. This officer had, it would seem, good reason to suppose that the ground would have been cleared by the time he arrived. The men of the squadron were dressed in khaki overcoats as it was raining and wore white turbans. They were not seen by either of the two occupants of the aeroplane and a very careful reconstruction of the accident has convinced the court of inquiry that the squadron thus clad could not have been seen from that altitude in the conditions prevailing. Both the occupants had their eyes fixed on the target from which the squadron was then about 200 yards distant. The bomb overshot the target, and falling, as it did, upon the squadron in close formation, caused fearful havoc. Three Indian officers and 10 non-commissioned officers and sowars were either killed on the spot or succumbed to their injuries the same day and 12 non-commissioned officers and sowars were injured, whereof three subsequently died in hospital. Sixteen horses were killed and 15 injured and had to be destroyed. Medical aid was rushed to the spot as quickly as possible and everything that could be done for the injured was done.

"The next of kin and kin of the deceased were informed without delay, both by telegram and by letter, and shortly afterwards messages of sympathy from His Excellency the Viceroy and the Secretaries of State for India, War and Air, His Excellency the Commander-in-Chief and the general officer commanding-in-chief, Northern Command, and the air officer commanding the R. A. F. in India, were received and conveyed to them. The Government of India considered immediately the question whether special compensation or gratuities should be paid to the heirs of those who were killed and also those who were permanently injured. Under the ordinary rules both these categories are entitled to pensions on an adequate scale and pensions will be issued in the ordinary course. In addition the Government of India have decided to grant to the heirs of the three Indian officers who have been killed gratuities on the same scale as admissible when death is caused by active service, namely, Rs 1,200 to the heirs of Risaldars and 600 each to the heirs of Jamadars. They have also sanctioned gratuities of Rs. 200 each to the heirs of the non-commissioned officers and sowars. For such of the injured as may have to be discharged to pension they are sanctioning disability pensions at a special rate instead of the ordinary rate.

"From the information at present before them, Government are provisionally of opinion that the following were the principal contributory causes of the accident.

Firstly, the fact that certain authorities, who had at different times received information both of the forthcoming bombing practice on the 23rd January and of the intended tactical exercise which was to be held in the vicinity on the same day, failed to connect these two events in their minds. It was their failure of memory and co-ordination that in the first instance apparently rendered the accident possible. Secondly the despatch of a bombing aeroplane over the range before there had been time to clear the range. Thirdly, the mistaking of the watching signal for the signal that all was clear. The court of inquiry has found certain officers to blame in connection with the causes that I have mentioned. The Commander-in-Chief has most carefully considered the proceedings of the court of inquiry and the opinions of the local commanders and has decided that summaries of the evidence should be prepared with a view to the trial of certain officers by court-martial. To some extent the disaster may be attributable to a combination of mischances against which no amount of forethought could have prevailed, on the other hand, it may be found due also to failure of judgment on the part of individuals or to some defect in the prescribed system of safeguards.

"I would ask hon. members of the House, and through them the press and the public not to form too hasty conclusions and above all not to express opinions or conjectures that might in any way prejudice the judicial proceedings. I need hardly add, Sir, that the sympathies of the Government and I am sure of the whole House go out to the men who have been disabled and to the widows and children of those who have perished so tragically and so suddenly in the prime of their lives and in the performance of their duty."

In view probably of the full nature of the statement, Dr Moonje and Sardar Gulab Singh, whose questions gave occasion for making the above statement did not ask any supplementary questions

## Sir John Simon's Ooty Speech

Replying to an address presented to him by the municipality at Ootacamund on the 7th March 1929 Sir John Simon made a significant statement. After asserting that the Simon Commission was appointed only to make 'a fair, honest and sympathetic report to the Imperial Parliament, and that it was not for the Statutory Commission to frame the future constitution of India,' he said :—

"You said in your address something about the great importance of the task of the conference which it is endeavouring to discharge. Indeed, when I look back now over nearly six months of the conference work carried out in almost every corner of India, it is impossible not to appreciate the importance of the enquiry upon which we are engaged.

"If I may be allowed to qualify in one slight respect what you said in your address I would say this that no one should regard the Statutory Commission or its members as though they were settling and deciding the constitution of British India. Our task is very important, but it is not that. Our task is that of making a fair, honest and sympathetic report to the Imperial Parliament. I will give you my sincere assurances that we mean to discharge that task to the utmost of our power.

"A great responsibility rests upon the Imperial Parliament. It would be foolish to deny it, for that responsibility is written upon the pages of history, and is based upon facts, as we find them. If the Imperial Parliament was to discharge its duty towards India, it was necessary for parliament to do its utmost to get a full, fair and sympathetic report of so complex and difficult a thing as the working of the Government in this immense country."

It was not possible, he said, for the whole of the British House of Commons to be shipped to India for six months, and hence it was that the British Parliament had appointed the Statutory Commission with the valued aid of the Indian Central Committee as a body of men who would endeavour to gather facts, without some



knowledge of which no body of men can be expected to take part in helping to frame the future constitution of India.

But it was not for the Statutory Commission to settle the constitution of India. When they had made their report; when they had described what they had found; when they had given their account, as well as they could, of the many movements which were at present pulsing through the heart of India, then it would be India's opportunity—which it had always been intended to be—to make her full contribution which is right and necessary to her future constitution, which would be framed by Britain and India together.

The only thing that Sir John claimed for the conference over which he had been presiding, was that whatever their shortcomings might have been he did hope that from the beginning to the end they had so continued in the enquiry as not to raise any obstacles but rather to contribute to the co-operation and mutual help in the future which was the best possible foundation upon which the progress of India could be laid.

Turning to the question of the depressed classes Sir John Simon remarked that they had every desire to understand the difficulties of this class, but he warned them to make no mistake in realising that the problem of the depressed classes was to a very large extent not a political but a social one.

## The Bardoli Agitation

The agitation in the Bardoli Taluka of the Surat District against the enhancement of the land revenue assessment commenced in the latter part of 1927. The settlement of this Taluka, which it may be remembered, was the Taluka selected in 1921 by Mahatma Gandhi for his experiment in non violent resistance to payment of taxes, was due to expire on the 31st of July 1927 and the revised settlement involved an increase of about 20 per cent. In the beginning of February 1928, Sirdar Vallabhbhai Patel of Ahmedabad visited the taluka to prepare for no-tax campaign. The taluka was divided into divisions each in charge of ex-Satyagrahis of the non-co-operation days and an intensive campaign was carried on to induce the cultivators to sign a pledge not to pay any assessment whatever either the old or the new. The campaign was amply financed to the extent of over Rs 4½ lakhs and was carried on with the help of volunteers from all over the Presidency. It soon became a definite national issue which was followed with interest in other parts of India where it was regarded as a matter of more local importance involving principals which went far beyond those involved in the questions whether or not assessment was too high. After some months of agitation in October 1928 Government agreed to the appointment of a Committee of Enquiry to decide whether or not the assessment was a proper assessment based upon sufficient data provided that the revised assessment were fully paid up.

The Committee comprised of Messrs R. M. Maxwell and R. S. Broomfield as special officers. The report of the Committee was issued on the 7th May 1929. The terms of reference were to enquire into the complaints (a) that the enhancement of revenue made was not warranted in the terms of the Land Revenue Code. (b) that the report accessible to the public did not contain sufficient data warranting the enhancement and some data were wrong and in the event of its being held that the complaint was justified what enhancement or reduction there should be on the old assessment.

The special officers discussed in detail the data relied on by the settlement officer, especially regarding the railways, roads, marketing facilities for crops grown in the talukas, etc., and came to the general conclusion that the settlement officer was too optimistic in the conclusion which he had drawn regarding the effect of these considerations on his proposals.

The rental statistics relied on by the settlement commissioner were examined and the special officers emphasized the point that the close scrutiny of the kind required could only properly be carried out in villages in the presence of the parties or people acquainted with the facts. The tenancy register is probably the least reliable of village records and in course of their enquiry the special officers discovered a large number of errors. Moreover the registers did not contain all the material facts. The special officers stated that the statistics in the settlement report purporting to give verified statistics of the leases of practically every village in Bardoli and Chorsi for 24 years could not possibly have been verified in any real sense by the settlement officer himself. The special officers declared that any attempt to use the figures as though they were capable of yielding a direct calculation of the full standard of assessment should be regarded as wholly untrustworthy.

Proceeding to examine the grouping of villages the special officers said that they found so little of help given to them in the sanctioned revised grouping of talukas that in framing their own proposals they had found it better to ignore the new and start afresh from the old grouping. Discussing the sale statistics, the special officers referred to one circumstance of special importance to these talukas, namely, the great demand for land on the part of people who had made money in South Africa and other places abroad and their obvious willingness to pay fancy prices for it. It was perfectly clear that these people were inclined to be liberal, not to say reckless, in the disposal of their money and the only inference to be drawn from the fact was that people who paid such astonishingly high prices for land as these South Africans did could not make any exact calculation of the expected profit or interest on capital.

Discussing the proposal of resettlement the special officers said that they inspected sixty villages and at all inspections the case for agriculturists was also watched by the representation specially delegated for the purpose and the report acknowledged the conscientiously impartial manner in which this assistance was given and its real value to the special officers for the purpose of the enquiry. A salient point about the statements furnished by the cultivators was, according to the special officers, that the balance was on the wrong side, but "we have to regard these statements as rather in the nature of a plaint or a statement of claim. That is evidence in the strict sense of the word and we consider they derive most of their value from the conscientious way in which they were compiled and edited by our friends from the Ashram."

The report then discussed the indebtedness of the people and said that "even if it were possible to eliminate all the irrelevant factors and to ascertain the volume of debt which was due to bonafide agricultural losses, we should not prove that agriculture cannot be carried on at a profit but actually its contrary. Although it has frequently been asserted that land revenue is the cause of the ryots' indebtedness, we have found little support for such theory in the course of our enquiry."

The main basis of the special officers' recommendations for resettlement was the evidence of the value of land. These statistics covered far less than the whole of either taluka, but the local knowledge gained in the course of many inspections made it possible to recognize the homogeneous tracts and apply the data of one village to another with very fair confidence. Referring to the increase suggested by them the officers said:—"Our experience of these talukas does not suggest that they will be under-assessed at this figure, nor does the evidence which we have collected appear to justify a larger increase at the present time."

In submitting the report to the Government, the special commissioners stated that their relations with the representatives of the people of both Talukas had been throughout perfectly cordial and they acknowledged in their report the valuable assistance rendered to them by Mr. Narhari Parikh, Mr. Mahadev Desai and others. The people themselves though naturally not lacking in complaints, were entirely lacking in hostility and showed willingness to co-operate with them in their line of enquiry which the special officers had not altogether expected.

# Tamil Nadu Congress Committee

## Resolution on Acceptance of office

By far the most controversial topic in the month of May in the Congress political circles was the resolution on the acceptance of office by Congressmen which was adopted at a meeting of the Tamil Nadu Congress Committee held at Madura on the 9th May 1929 under the presidency of Mr. S. Srinivasa Iyengar. The proceedings lasted for more than three hours and a number of important resolutions on the work of the Congress in and outside the Councils were also adopted. There was some lengthy discussion about the giving of complete freedom of action to the members of the Congress who entered the Councils. Messrs S. Srinivasa Iyengar, S. Satyamurthi and others took part in this discussion. Some members were of opinion that such action should be restricted by some provisions which might be decided upon. The President was however of opinion that the matter might be left to individual members. The following is the text of the resolution on acceptance of office which was adopted:—

“(a) This Committee expresses its emphatic disapproval of the proposal made in some quarters to constitute a joint board consisting of several political parties in the country to run the ensuing elections to the legislatures as it is bound to affect the prestige and power of the Congress and hamper the future work in the legislatures and outside

“(b) This Committee therefore resolves, following the precedent of the Bengal Provincial Congress Committee in connection with the elections now going on to constitute an election board to set up candidates for the ensuing elections for the Madras Legislative Council and the Indian Legislative Assembly from the Tamil Nadu and to conduct and control the elections.

“(c) With a view to strengthen the influence and pervasiveness of the Congress in all spheres of national life and to effectively checkmate the attempts of the bureaucracy to strengthen itself by exploiting communal jealousies and setting up puppet or subservient ministries, this Committee resolves that the Congress members elected to the Legislative Council from this province should have the power to follow any and every line of action which in their opinion, may be necessary and expedient to further the power and influence of the Congress to carry out the constructive programme of the Congress through the Council and to render impossible the formation of any anti-national or reactionary Ministry”

### Mr. Srinivasa Iyengar's statement

The following statement was subsequently issued by Mr. Srinivasa Iyengar on the above resolution regarding acceptance of office by Congressmen:—

‘The Tamil Nadu Congress Party has only expressed its opinion that so far as this province is concerned the members of the Congress Party in the Council should be given freedom to adopt any line of action which may from time to time become necessary in order to prevent the formation of an anti-national or reactionary ministry. If it is given effect to the final decision would rest with the party or Provincial Committee after the elections, subject to safeguards and conditions. I have enjoyed the criticisms levelled against me. I would help my critics by reminding them that I objected to the Sabarmati Pact and my Gauhati speech as Congress President contains a fairly exhaustive enumeration of objections to acceptance of office as they appeared to me before the non-office experiment was tried. The fact that Anglo-Indian newspapers, “The Times of India” and “The Madras Mail,” “The Pioneer” and “The Statesman” denounce my present attitude towards this question is a sufficient vindication of it. Unlike other friends, they understand the true inwardness of the proposal and know that there is business behind it. I believe in trying political experiments for a number of years, but I don't believe in sticking to them in a Province in which they have proved to be absolute failures. In this Province our experiment has proved to be a disastrous failure and a party which was wholly defeated in 1926 has come back into greater power as an anti-national and

reactionary Ministry. The suggestion as to change of policy has been made only with reference to the conditions of this Province. Perhaps in Bombay and in the Punjab, the conditions are similar, but I cannot be certain. In the Assembly where there is no question of office some sort of a fight for Swaraj however uncertain can now and then be put up and the old pledge of non-office may be renewed. In a Province like Madras where there is a strong well-organised party in office, the fight between the Congress Party and the bureaucracy is prevented by the interposition of that party and it becomes a mere party fight sometimes only a personal fight and not a national fight for Swaraj. Whereas in Bengal cohesion does not exist amongst Ministerialists, the latter fall by their own jealousies and the Congress Party fortunately gets the credit. No fight for Swaraj can be carried on in this Province unless this solid Indian wall that protects the alien Government is removed and expedients have naturally to be adopted from time to time for the purpose of enabling the Congress Party to come to grips directly with the bureaucracy. I can understand the objections to office of those who work like myself for Independence and with whom Independence is not merely an ideal or a distant goal. It is of course impossible for them to be Ministers or members of the Ministerial Party, for working for independence involves non-cooperation and civil disobedience and so forth. But those friends and newspapers who are for Dominion Status only and want work for it and are vehemently against Independence as their objective, cannot well complain of the change of policy proposed. They naturally remember my successful campaign last year for Independence as against Dominion Status and cannot resist the temptation of paying off old scores by sneering at my fancied inconsistency. My answer is that the compromise suggested by me following upon the compromise at Calcutta is that there should be two schools or parties in the Congress working with perfect understanding, one consisting of those who like myself are pledged to a work for Independence and who should therefore be pledged to non-acceptance of office and second of those who are for the present content with Dominion Status even if their ideal or goal is Independence and who may be given freedom to decide in each Province according to its conditions and circumstances as to what exactly they should do in each province after the forthcoming elections subject to the general constructive programme of the Congress. I made this clear in my Jullunder and Srirangam speeches before the Tamil Nadu resolutions and in the interview that was recently published in the "Madras Mail" and other papers. Even in my Gauhati speech I pointed out that if the Congress Party was in a clear majority it might be able to take office and dictate terms to the head of the Government under the reserved half. It is the duty of the Congress, no doubt to create opinion but it must from time to time also reflect opinion and the compromise to which I would agree reflects the preponderant Non-Brahmin opinion in Tamil Nadu.

"Those friends and newspapers who advocate establishment of a joint board for election purposes representing Congress and Responsivist or other office parties cannot at all object to the Tamil Nadu proposal. For that proposal was on the basis that the Responsivists and other parties were each to reserve its right to decide its course of action and did not agree to accept any kind of office till the National Demand was conceded and if the Congress recognises and gives its sanction to these parties and supports their election it can well do it in the case of such Congressmen in this province as want to have the freedom to decide on this question of office after elections.

"Speaking for myself, I am clear there has been an earlier rejection of the All Parties' Constitution within the meaning of the Calcutta Congress Resolution and we should start non-violent non-co-operation and civil disobedience forthwith. I agree that the country is not ripe for it now and will not be ripe for it next year either. My critics want to run the election on the Nehru Constitution alone and not upon the Calcutta Congress Resolution. It means that those who are elected can claim that they are not bound to work for independence next year or start civil disobedience. It means that for the term of the next Council the Congress Party will be for Dominion status and will have nothing to do with Independence. Again if we really mean business and adhere to the Calcutta resolution, I do not see why we should not boycott the Councils. Surely, we cannot deceive ourselves by saying the Government is going to accept the All-Parties Constitution by the end of this year. The end of

this year is not far off and I need not be a prophet to assert with absolute confidence that this All-Parties' Constitution will never be accepted by the British Government as required by the Calcutta Congress resolution. Of course if the Justice cum Ministerialist Party in this province accept the Nehru Constitution and hereafter at least agree to the boycott of the Simon Commission Report and its further stages and if they agree to no-office till the National Demand is conceded by the Government, there is no necessity at all for any future Congress Party that may emerge after elections to have the freedom to decide as to the policy they should pursue. I understood the joint board proposal was made with reference to the old parties and was not intended for the benefit of a new party like the Nation First Party. Will the members of the Nation First Party and of the Responsivit and other parties pledge themselves to accept no kind of office till the National Demand is conceded?

"I wish those staunch Congressmen in this province who talk against acceptance of office do not go to the Ministers for nominations to local bodies for themselves or their friends or for other business favours and I wish also the Congressmen who stand for no-office do not encourage new or old parties for office in any way or support a coalition with office parties for election purposes."

## The Viceroy's Chelmsford Club Speech

The following speech was delivered by H. E. the Viceroy at the Chelmsford Club, Simla, on the 20th June 1929 on the eve of his departure to England to hold consultation with the Secretary of State on the forthcoming constitutional changes in India —

"My first duty must be to warmly thank the club for having again invited me to be their guest. The first time you did me a similar honour was when I had only recently come to India. That was nearly three years ago, and now I find myself your guest a second time more than half way through my period of office. The recollection of your kindness on that occasion is my excuse for taking advantage of it to-night to say something about a few matters which we have all had lately in our minds.

### THE BANKING ENQUIRY

At the outset let us congratulate the club upon the appointment made from among its members to important posts in the public service. We are all glad to know Mr. President, (*referring to Sir Bhupendranath Mitra*) that those talents of ability, shrewdness of character and tact which have carried you to the highest point of a distinguished official career are not to be buried in a napkin when you cease to be a member of the Governor-General's Executive Council, but are to find scope in the chair of the Banking Enquiry Committee. Sir George Schuster could not have found anyone who is better fitted to conduct an investigation into this complicated topic and I think it very fortunate that he should have succeeded in inducing a businessman of the calibre and technical knowledge of Sir Purshottamdas Thakurdas to be your principal colleague in this work. It is with deep regret that we have just learnt of the untimely death of Mr B. P. Madon who had been willing to serve on the committee and who would have brought to its aid specialist experience of no ordinary kind.

### TRIBUTE TO SIR M HABIBULLAH

The club may rightly also be proud of furnishing one of its members to be the first Indian to lead the League of Nations delegation. I am personally very pleased that we should be sending a delegation to Geneva under Indian leadership. Sir Mahomed Habibullah, if he will allow me to say so, has already deserved well of his country both by the way in which, with the invaluable assistance of Mr. Sastri, he has handled delicate questions abroad in South and East Africa and at home has

steadily pressed forward to the establishment of an Agricultural Council of Research which, I hope, will be formally inaugurated to-morrow to the lasting benefit of India's premier industry. In the discharge of these fresh responsibilities he will, I do not doubt, bring new credit to himself and to India; and for three months he will be in the pleasant position of a detached critic of the Government of which he is a member and thus approach the wholesome state of being able to see himself and his colleagues as others see them. I can fancy that many of us might wish that we could, ourselves, occupy, for a time, a similarly detached position; since it must be admitted that for the Viceroy and the members of the Government as for all public persons, the times are difficult and we might all benefit by a quiet opportunity for introspection.

In human affairs, merit and reward seldom go hand in hand, for in the world's auction, the successful salesman generally depends rather upon the brass-throated advocacy of his wares than upon their intrinsic quality. The merits of Governments are, no doubt, unequal; but while the Government of India is certainly not the least meritorious of its kind, I suppose there is no Government in any country which whether through modesty or by reason of the conditions under which it works, is less prone to vocal self-advertisement, and its virtues are therefore apt to be unrecognised. There are some of the less important features or policy for which, on any dispassionate consideration, I think my Government are entitled to greater credit than we always receive.

#### THE AFGHAN DEVELOPMENTS

The policy of strict neutrality that we have adopted towards affairs in Afghanistan has been recognised on all hands to be well conceived and to have been consistently pursued. It was naturally not without great sympathy and concern that we have watched the unhappy progress of these events across our frontier. But the task of restoring equilibrium, union and peace is one which must and can be accomplished only by Afghanistan herself. Meanwhile we in India must be content to wait, and hope that before long we may see a stable Government re-established throughout Afghanistan based upon the consent of the whole Afghan people with which we may resume our neighbourly relations of friendship and mutual respect. Here, at any rate, there is a sphere in which the policy of the Government has been generally, I might perhaps say universally, approved.

In other directions we have been less fortunate. I have not infrequently read of attacks made on the Government for what is termed its reactionary repressive and ruthless policy. Let us examine on what such charges they rest. I take what I assure to be the three principal indictments in this count—the Public Safety Bill and Ordinance, the Trades Disputes Act and certain arrests and prosecutions during the last few months.

#### THE PUBLIC SAFETY ORDINANCE

The case for the Public Safety Bill and for the Ordinance which replaced it, has been frequently stated and I do not desire to traverse that ground again except to make two points plain. Some have said that unless and until action is in fact taken under the Ordinance or under the Public Safety Bill if and when it becomes law, it will be evident that the ordinary law will have proved sufficient to deal with the situation, and that I and my Government shall stand convicted of having asked for panicky powers. Such an argument rests upon a complete misconception of the facts. The principal importance that we attach to the Public Safety Ordinance is that of the deterrent effect which, we anticipate, that it will exercise. It has been more than once very frankly proclaimed by Communist sympathisers to England that it was their purpose to reinforce those who were preaching these doctrines here. The Public Safety Ordinance will be a clear danger signal to them, that, if they do succeed in finding their way to India, they cannot count upon a free run of an indefinite period for the dissemination of their mischievous creed. While the Government under the ordinary law would be accumulating sufficient evidence for their prosecution, I know of no reason by which the Government of any ordered State should be held bound to sit still with folded hands and watch the security of the interests committed to its charge thus stealthily undermined. In no case will the Ordinance operate against any Indian, nor will it touch any non-Indian who desires to pursue a lawful avocation.

or to lead the life of an honest citizen. It will operate only whether as a deterrent from entry into India or by expulsion against those non-Indians who believe that the social evils of India or any other country are to be cured by the destruction of the very foundations on which all society has been erected

#### ARRESTS OF LABOUR LEADERS.

In other quarters the action of the Government has been criticised for the order of procedure adopted in relation to the Public Safety Bill and the arrests of the men now undergoing trial. Why, it is said, could not the Government have stayed its hands over the arrests until the Public Safety Bill was safely through? It is no doubt open to us to act in the sense suggested by our critics. Such a course might, no doubt, have obviated some of the difficulties that have arisen. But I was satisfied in my own mind, that, had we so proceeded we should have laid ourselves open to the charge of treating the Assembly with lack of candour. What was the position? We have all along maintained that the ordinary law offered only a partial remedy, in that one of the necessary conditions of its successful operation was a delay, which in our view was dangerous. We have accordingly introduced the Public Safety Bill of which the purpose had been generally assumed to be that of procuring the deportation of particular individuals. In the meantime, while the Bill was still awaiting discussion in the Assembly, we decided, on the evidence available to us, to arrest and prosecute those persons among others under the ordinary law. If we had suppressed the very relevant fact of this decision in order to facilitate the passage of the Bill, would it not have been said, and not without justification, that we had been guilty of something like bad faith towards the members by inviting the legislature to take a decision upon what we know, but what they would not have known to be an incomplete statement of facts? The matter seemed to me scarcely to admit of argument, and I therefore deliberately reached the conclusion with my colleagues that such a course would be wrong and nothing that has occurred has given me a cause to reconsider my opinion.

#### THE TRADES DISPUTES BILL.

The support for the theory of a repressive and ruthless Government is further sought in the Trades Disputes Act the passage of which will always be associated with the name and with the Parliamentary gifts of Sir Bhupendranath Mitra. I own myself at a loss to understand how, with any regard for the meaning of words, this Act can be called in aid of the indictment it is sought to frame. The bulk of the Act is directed to the promotion of conciliation in trade disputes, and as such must surely command the sympathy of all who desire to see such questions solved by pacific means. But if organised bodies of labour and employers are to share the advantage of enlisting public opinion in favour of conciliation as they will do under this Act, it is not unreasonable that they should be each invited to recognise that in disputes affecting important public utility services, the general public has a direct interest, of which it is right to take account. Other clauses of the Act prohibiting lightning strikes or lock-outs in specified service and penalising in certain circumstances the fomentation of general strikes or lock-outs of the nature to which I have referred, assert this third party interest. Where society is organised it is not possible in these cases for the Government merely to watch the battle waged, for during the process millions of innocent people are necessarily exposed at least to a grave dislocation of their ordinary life and at the worst to deep misery and acute privation. If a duty lies upon society to have regard to the welfare of its industrial population, it is not less incumbent upon those who win their livelihood from the industry to pay consideration to the welfare of the whole community of which they are a part. It has been contended that these are designed to interfere with the just liberty of Labour by imposing restrictions on the assumed right of the workman to strike, using that word in its broadest sense. But analogous legislation imposing in some cases even greater restrictions on this right to strike is in contemplation or actually finds a place upon the statute books of Canada, Australia, New Zealand, Switzerland and France. Are those countries—where if anywhere democracy understands liberty, but also knows that liberty is not licence—are they all victims of ruthless and repressive Government?

## APPOINTMENT OF WHITLEY COMMISSION

I scarcely think indeed that the Government of India, if it had been unsympathetic to the real interests of Labour would have invited the appointment of a Royal Commission to explore so widely the Labour situation. Such an appointment is evidence of the importance that my Government attaches to these questions and I am glad to see that its membership has been generally and rightly taken as a guarantee that they will be brought under thorough and sympathetic examination.

## REPLY TO CHARGE OF REPRESSIVE POLICY

It is finally alleged that the evidence of a repressive policy is to be found in the fact that the Government has thought necessary to prosecute certain individuals for offences against the State. On what does such an allegation rest? If the Government is right, as all sane persons would admit, to prosecute men who resort to overt action in the violation of the law, by what reasoning can it be judged wrong to take steps against those who make speeches or enter into conspiracies to inspire others and perhaps less prudent men to such a violation? The assertion of the law is the clear duty of any Government and what my Government has done is to bring to trial, in the ordinary courts of the land persons who in its judgment have committed offences against the State or against public tranquility. Let no one deceive himself. The effect of a transgression of the law is more far-reaching than the actual breach committed: and any society that forgets that the reign of law is a condition of its existence will soon find itself helplessly directing towards the cataracts of anarchy.

## THE GOVERNMENT AND THE "OPPOSITION"

Mr. President, I do not claim that the Government of India is perfect. Few human institutions are but I do claim that it enjoys no monopoly of human wickedness, and that its opponents enjoy no monopoly of human wisdom. I find it hard to believe that those who attack the Government on these lines are concerned so much to examine the merits or the demerits of a particular policy as to use any argument, good, bad or indifferent which may in the eyes of some, bring discredit upon the Government. It has been said that it is the duty of an Opposition to oppose, and in India there is a temptation to allow prejudice rather than reason to be the motive power. These critics commonly regard themselves as exempt from any direct responsibility and think that the line drawn between the Government and the Opposition can be readily misrepresented as coterminous with the division between officials and nonofficials and with a further and more dangerous division based on racial difference.

## THE REFORMS ISSUE

It is not for me now to discuss in what direction we may be likely to witness modification of India's existing constitutional machinery, or what effect any such change may produce upon the relations between the Government and the Opposition. I permit myself one general observation only. It has been publicly suggested that it might be possible to devise means by which the free growth of India's political institutions should be secured without the necessity of recurring enquiries, such as that of which India has recently been subject. Though I do not attempt to pronounce upon the feasibility of this suggestion, I cannot doubt that if such means could be found, in fact it would be greatly for India's good, for after all their philosophy should be that a constitution is something that grows as a living organisation drawing strength and character from the environment and practice of daily life. There is much truth in what was said by a modern biographer of Alexander Hamilton than whom few persons had more to do with the creation of what we now call the United States, that a real constitution should be analogous not to the schoolboy's coat which man outgrows but to the bark of a tree which expands with the natural growth of years. In this business of constitution building, I may underline what I have said before. There is room for all to be wisely handled, it must be by both Britain and India mutually helping one another in the task.



## THE SIMON BOYCOTT

During the last twelve months, we have seemed to watch the prospects of co-operation in a measure which all well-wishers of India would desire receding from view under the pressure of resentment in some quarters at the choice which the Parliament had made as to the instrument to conduct an enquiry on its behalf. I have never either underrated the strength of the opposition to Sir John Simon's Commission or impugned the motives of those who felt it their duty to pursue that line of conduct. But none the less, I think that the opposition to the Statutory Commission has rested, to some degree at all events, upon a misconception of their functions. It has been assumed by many that they were the law-givers on the Mount who would from that lofty eminence impart a new dispensation to India. Such a conception of the work of the Commission has never, so far as I know, found currency in England. Nor indeed, conscious as they must have been of the importance of the task imposed upon their shoulders, has this been the view taken by the Commission of their own responsibilities. I would remind you of what Sir John Simon said in a speech during his tour in India "No one," he said, "should regard the Statutory Commission or its colleagues as though we were setting and deciding the constitution of British India. Our task is very important but it is not that. Our task is that of making a fair honest and sympathetic report to the Imperial Parliament. When we have made our report then it would be India's opportunity to make her full contribution which is right and necessary to her future constitution which would be framed by Great Britain and India together." That is I believe an exact statement of the Commission's responsibility which it is desirable to bear in mind.

## HINDU-MUSLIM RELATIONS

In the meanwhile it is evident that two of the problems on which public attention more tends to fasten are those of minority communities and of Indian States. And I would say a word in regard to each. It was concerning the unhappy consequences of the communal discords, that I ventured to address the Club nearly three years ago. There will be general satisfaction that with the deplorable exception of Bombay the last three years have seen a steady diminution of communal rioting and outrage. I believe it is many years since the Bakr-Id festival passed off with so little actual trouble and disturbance. But I am afraid we should delude ourselves were we to think this improvement in the outward manifestation of communal feelings implied that communal feeling had ceased to be. It is much if the adherents of either side can recognise that their differences are rather subjects for arguments and debates than of blind outbreak of mob violence.

But we know very well that, as a political question the communal problem is still unsolved. As in the international problem of disarmament the first requisite of progress is to exercise and allay the spirit of suspicion and fear that forbids mutual confidence and prompts men to seek security in the strength of their own defences, so it is with the communal problem in India. Could the leaders of the majority communities once convince the minorities that their interests were in no danger at their hands, the backbone of the problem would have been broken. This the leaders of the majorities alone can achieve and they have not yet succeeded in it. So long as this is so, it must remain the purpose of all patriotic men to bend their energies to the task of bringing into concord the different component parts of India and in the meantime to avoid anything that may make that task more obstinate.

## FUTURE OF INDIAN STATES

The other large problem of India's future is the Indian States, and here we have to deal with three types of policy. There is, first of all, the desire of wide statesmanship to see a canvas set on which a picture of all India may ultimately be drawn. Then, there are the treaty rights of Princes inherited from the East India Company and hallowed and confirmed by successive declarations of the Crown; and lastly, there are the feelings of the States' subjects, of which all wise and liberal-minded rulers will take account. I do not believe that this or any problem is beyond the power of wise men to solve, if only they approach it with cool heads and steady

hands. But just as the knot of a bootlace becomes intractable if roughly and brusquely handled, so it is with such questions as are implicit in the position of Indian States.

The appointment of Sir Harcourt Butler's Committee was designed to elucidate the fact and to give to all concerned material with which they could see the problem as a whole. But I make no concealment of my view that in any proposals that may be made, it is essential on every ground of policy and equity, to carry the free assent of the Ruling Chiefs of India and that any such suggestion that the treaty rights which the Princes are accustomed and entitled to regard as sacrosanct, can be lightly set aside, is only calculated to postpone the solution that we seek.

#### THE NEW GOVERNMENT IN ENGLAND

The British elections have just been held and His Majesty's Government has now been entrusted to other hands. But whatever the differences between the British parties, I know that all desire to find a path wide enough for Great Britain and India to walk along together. I know too that behind the noise and din of much political controversy in India, there is even amongst many whose position compels them to be protagonists in political battle, a great volume of strong and sane opinion that desires nothing so much as to reach, in partnership with Great Britain, an honourable settlement of India's constitution. When I go to England I shall seek the opportunity of a discussion with His Majesty's Government on these grave matters. It will be my duty, as I have said elsewhere, to represent to His Majesty's Government the different standpoints of those who can speak for Indian political opinion. This I shall strive to do as faithfully as I may in the spirit and to the end outlined in what are for me the two governing pronouncements of British hope and purpose, the familiar declaration of 1917 and the Instrument of Instructions which every Governor-General receives from the King-Emperor when he assumes office, wherein His Majesty affirms that "above all things it is our will and pleasure that the plans laid by our Parliament for the progressive realisation of responsible government in British India, as an integral part of our Empire may come to fruition to the end that British India may attain its due place among our Dominions." I earnestly pray that, as the future unfolds itself, we may see the sure realisation of this hope.

#### INDIA AND THE EMPIRE

It is good for all of us who are involved in the pressure of day-to-day work occasionally to stand back and try to correct our, sometimes, too narrow perspective by the light of vision and faith. So doing, I seem to see through the dust one thing standing out in unassailable relief. The works of those, whether Indian or British, who are concerned with India is that of an experiment unique in history. That experiment is nothing less than the building firm of a political fabric in which India may realise her destiny and where the East and West alike may freely offer their peculiar gifts for the common service of mankind. The difficulties are immense. The pursuit of such a quest must constantly place an almost intolerable strain upon the resolve even of those to whom it stands as perhaps the most impelling purpose to which human effort can be directed. Nevertheless, feeling, as I do, that upon the success of these endeavour issues more profound than either Indian or British depend, I believe that Providence, which ultimately controls the affairs of men, will not permit the great design to be frustrated.

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## The Indian Banking Enquiry

The Government of India published in their letter of April 3, 1929 (Signed by Mr Burdon), addressed to all Provincial Governments, a provisional scheme for inaugurating an inquiry into the banking conditions in India, drawn up in consultations with the representatives of Indian and European Chambers of Commerce and of the Indian Legislature. In reviewing the history of the banking enquiry, the letter stated. —

The subject was mooted as early as 1925, when among other things, the view of the local Governments were asked regarding the best method of surveying the field of banking in India and of encouraging the development of banking in the country. By the time the replies of the local Governments were received, the Government of India had also received the report of the Royal Commission on Indian Currency and Finance, which recommended the creation of a Central Bank for India. These replies and report were duly examined by the Government of India, who came to the conclusion that the establishment of a Reserve Bank in India and its activities through its member banks would go far to improve the banking facilities generally. They, therefore, thought that on the whole it would be preferable to postpone further enquiry of the kind previously contemplated until some experience of the working of the Reserve Bank of India had been gained.

When, therefore, Mr. Haji moved a resolution in the Assembly in 1927, recommending that a commission be appointed to investigate the present conditions of banking in India and to make recommendations for their improvement and expansion, the Finance Member, on behalf of the Government, explained that though they shared the desire of Mr. Haji and his supporters that an enquiry should be made into the banking system of India with a view to its improvement, they did not think that the time chosen was opportune. In making this statement, Sir Basil Blackett further explained that an important portion of the ground of the proposed enquiry, namely, the financing of agricultural and facilities for agricultural banking would be covered by the Agricultural Commission and that the Government would consider the position again when the Commission had reported.

The Reserve Bank Bill, however, was rejected by the Legislative Assembly in February, 1928, and the Government of India, feeling that the atmosphere in which the Bill was lost was not favourable to public investigations of a technical and scientific nature, decided to let the question of banking enquiry rest at least until they had an opportunity to study the report of the Agricultural Commission, presented in April, 1928.

Both the Federation of Indian Chambers of Commerce and the Associated Chambers of Commerce revived the question at their respective annual meetings in December, 1928, the former passing a resolution urging upon the Government immediately to appoint an Indian Banking Enquiry Committee with special reference to the system of indigenous banking with a view to develop and foster the same. Discussions ensued at which the Finance Member and the representatives of both groups of the Chambers of Commerce were present, and as the first result of these discussions the broad position which the Government decided to take is that described in the following sentences, which are taken from the statement made by the Finance Member in the Legislative Assembly :—

"The formation of a Central or Reserve Bank is desirable, in order that India may be equipped with a mechanism for the control of currency and credit on the lines approved by modern experience. At the same time the Government can only proceed subject to their being satisfied as to two conditions first, that the organisation of the bank is securely settled on sound lines, and, secondly, that there is a measure of general support among the representatives of public opinion for the proposals. Full advantage should be taken of any interval which may occur before these conditions are fulfilled and the time is again ripe for reviving the proposals for a Reserve Bank, by inaugurating an enquiry into the general banking organisation of the country, which is intimately connected with the question of a Central Bank, for a Central Bank is essentially the crown of the whole structure of banking

in its widest sense and, if it is to be well designed to meet the practical requirements of the country, it must be adapted to the banking organisation of the country on which it should rest."

#### TWO STATES OF ENQUIRY

Viewed from this angle, the banking enquiry will be of value in throwing light on the actual situation throughout the country and instructing public opinion as to the main requirements.

In order to carry the public opinion with them as far as possible, in details as well as in the general policy in the matter, the Government of India have taken steps to ascertain the views of leaders of the political parties in the Central Legislature and have again conferred with the representatives of the Federation of Indian Chambers and the Associated Chambers of Commerce. These further discussions have disclosed a fairly general consensus of opinion as to the broad lines on which the enquiry should proceed, and as to its main objects. As to the former, it is generally agreed that the enquiry should be divided into two principal stages, the first covering the collection of evidence and an indication of the main directions in which the opening up of increased facilities is required, the second stage taking the form of consideration by experts with world experience of the evidence and suggestions prepared by the local committees during the first stage. As to the main objects of the enquiry, they would be to enquire into the existing conditions of banking in India, and to make recommendations for the expansion of both indigenous and joint-stock banking, with special reference to the needs of agriculture, commerce and industry. It was accordingly decided to prepare a plan of action to be directed to this end and to submit it in the first instance for the consideration of the local Governments, whose cooperation will be essential. These are the circumstances which have led to the present communication being addressed to you.

As regards the procedure of the enquiry I am to say in the first instance, that the Government of India feel that, if the investigation is to be adequate and is at the same time to be completed within a reasonably short space of time, it would be impracticable to entrust the whole of the work to a single committee. The proposal which has so far met with approval is that there should be set up (a) a central committee and (b) a number of provincial committees to deal with the special requirements of the different provinces. Such provincial committees to consist of persons who have knowledge of local conditions, which will be all-important.

To arrive at a clear definition of the scope and functions of the central and provincial committees respectively, it is necessary to analyse in some detail the subjects which it is intended that the enquiry as whole should cover, and the analysis arrived at in the course of the preliminary discussion is as follows.—(1) The regulation of banking with the object of protecting depositors and thereby increasing confidence in the banking system; (2) banking education with the object of providing facilities for obtaining training in banking and generally of creating a body of people who have real knowledge of the principles and practice of banking; and (3) the development and extension of banking on sound lines. The last item if capable of further sub-division is as follows:—(a) industrial banks and credit facilities for India's main industries like cotton, jute, coal, etc.; (b) financing of foreign trade, (c) agricultural credit including co-operative credit and credit facilities for small industries; (d) mortgage banks; and (e) the financing of internal trade in connection with all the above headings.

It is suggested that heads (1), (2) and (3) (b) should be definitely excluded from the purview of the provincial committees already described and that head (3) (a) might also be treated from the beginning as the primary concern of the central committee, although it is recognised that there are certain aspects or subdivisions of the subject to which the provincial committees might make a useful contribution. The main matter for study by the provincial committees would, however, be head (3) (c), (d) and (e). These are, moreover, from every point of view, the most important of the whole field of enquiry. Essentially, the purposes which it is desired to secure so far as the interests of the rural population are concerned, are that the cultivator should be enabled to secure the credit he needs both for the improve-

ment of his land and its equipment and for the marketing of his produce, and that, on the other hand, means should be devised to stimulate the habit of investment and attract banking deposits. It is suggested that bearing these purposes in mind, the provincial committees should conduct in a few selected areas an intensive survey of the conditions, the existing facilities and requirements and a general survey of the province as a whole.

The central committee will be constituted by the Government of India. It is proposed that heads (1), (2) and (3) (a) and (b) should from the beginning be made a direct responsibility of the central committee. In respect of the two latter heads it might be convenient for the central committee to appoint subcommittees to visit the important industrial centres and gain first-hand knowledge of the needs of large industries and departments of trade. In addition to this the central committee would act as adviser to the Government of India in laying down at the outset the main lines on which the provincial committees should conduct their enquiry and later in sifting the material contained in the various reports submitted by the provincial committees and its own sub-committees preparatory to the making of its own final report to the Government.

At this point the second stage of the enquiry will be reached when the Government of India contemplate that they should invoke the assistance of a small body of outside experts (say three or four,) selected by the Government, either from England or from other countries with well developed systems of rural credit and industrial banking. These outside experts would act as advisers to the central committee. They would carry out joint discussions with the committee with a view to assisting the latter in making its recommendations to the Government of India as to the best way of dealing with the state of affairs disclosed by the preliminary enquiries above referred to. The experts will further be entitled to submit a separate report of their own, if necessary, to the central committee, which will include it in its own report submitted to the Government of India.

As regards the composition of the committees, it is suggested that the provincial committees should contain the following personnel: (1) a senior officer of the Government, with considerable district experience and knowledge of rural economy, who will be chairman; (2) a cooperative expert to provide special experience on rural agricultural credit; (3) an Indian economist; (4) a representative of commerce; (5) a representative of the indigenous banking community; (6) a non-official with a close knowledge of the agricultural classes who represent their interests as classes who require credit facilities; and (7) possibly another non-official similarly to represent small urban interests. The committees should be appointed by the Government of India in consultation with the local Governments.

It is emphasised that the above are intended to be no more than suggestions. The Government of India will be glad to consider any counter-suggestions which may be put forward by the provincial Governments.

It is contemplated that the central committee, which will act throughout in close contact with the Finance Member should include the following:—The members nominated in consultation with the Federation of Indian Chambers, two members nominated in consultation with the Associated Chambers of Commerce, an Indian economist, a banker nominated in consultation with the Imperial Bank of India, a banker nominated in consultation with the Association of Cooperative Banks, a banker nominated in consultation with the Exchange Banks' Association, a joint stock banker and an indigenous banker.

The question of representation of the general interests of the public and particularly of agriculture from the side of those who require credit facilities still remains to be settled. It will also be observed that no provision has been made for the representation of the Indian Legislature, as such, on the central committee. This is due to the technical nature of the enquiry, but in view of the great interest shown by that body in the inquiry the Finance Member has agreed to keep in touch with the central committee at all stages of its activities and to keep the leaders of the political parties apprised, by means of informal conversations, of the progress of the inquiry.

#### FIRST MEETING OF CENTRAL COMMITTEE.

Subject to the consideration of the views of the Local Governments, the Govern-

## THE INDIAN BANKING ENQUIRY

ment of India propose that the first meeting of the central advisory committee should be held in Simla about the middle of May, when a memorandum laying down in some specific detail the heads of the inquiry to be undertaken by the provincial committees will be placed before them for discussion. The memorandum, as approved by the central advisory committee, would then be issued to the provincial Governments so as to reach them by the end of May, so that the provincial committees might have their preliminary meetings in June to settle the terms of their questionnaire and their detailed programme of work, and the actual enquiry might begin before August. An important point is that everything should be prepared so that a start might be made immediately after the close of the monsoon period. The Government of India estimate that the provincial committees would take about six months to complete their enquiry and submit their reports, while another four months thereafter would be required by the central advisory committee to finish their portion of the task.

## OPINIONS OF LOCAL GOVERNMENTS INVITED.

I am now to enquire whether the Local Governments approve of the direction which it is proposed to give to the enquiry and whether they have any improvements to suggest in regard to this. I am also to ask that the views of the local Governments as regards the procedure which it is proposed to adopt may be furnished as early as possible. If the local Governments agree to the procedure contemplated, I am to request that the names of the individuals who might suitably be chosen to serve on the provincial and central committees may be furnished to this department. Finally, I am to invite attention to the enclosed provincial memorandum laying down the broad lines of enquiry to be pursued by the provincial committees, and to request that any observations which the local Governments may wish to make on this memorandum may also be communicated to the Government of India at an early date.

## TERMS OF REFERENCE.

The letter also contains the terms of reference to the proposed commission. The Government of India have requested the provincial Governments to make intensive surveys of one or two selected districts in each province and a general survey of the conditions in the province or areas as a whole in regard to agricultural and small industries, with special reference to the fabric of finance. The details of the enquiries to be undertaken should be settled by the provincial committees themselves, but in order to facilitate the tabulation of the results for all India the following main heads under which the committees should classify the information and material collected are laid down for their guidance. This should not be held to debar the provincial committees from investigating any special provincial features not covered by the heads below.—

The main heads referred to above are.—

(1) *Agricultural Credit.*

(a) Various items of permanent improvement to land. Credit facilities required and actually existing. Rates of interest and period of loans and other conditions. Part played by the Imperial Bank, joint stock banks, co-operative banks and indigenous banks and bankers. Scope for land mortgage banks, and for agricultural credit banks. Co-ordination of credit agencies. Review of the system of Government loans and elimination of administrative defects.

(b) Credit facilities required for the purchase of agricultural implements and seed and other expenses of production. Facilities actually existing. Rates of interest and period of loans and other conditions. Effect of borrowing on the disposal of produce. Part played by different classes of banks and bankers.

(c) Present methods of marketing the principal crops. Credit facilities required for the financing of products during marketing. Part played by different classes of banks and bankers, facilities for remittance. Use of negotiable instruments and scope for promotion. Reduction of duty on bills.

(d) Volume of agricultural indebtedness in the province and the causes contributing to such indebtedness. Existing credit facilities for discharging debt. Part played by different classes of banks and bankers.

(e) Agricultural enterprises and other small industries in the province like

dairy farming, *gud* factories, cotton ginneries, sugar refineries etc. Possibilities of developing cultivation or of helping the cultivator to get a better return by the erection of such factories. Credit facilities required and actually existing.

(II) *Special study of the working of co-operative banks and co-operative marketing societies.*

Extension of cooperation in the direction of borrowing and lending on a provincial scale, instead of local units operating separately in watertight compartments. Relations with the Imperial Bank and joint stock banks. Present difficulties of financing cooperative societies, with both short and long term capital. Alleged competition of cooperative banks with joint stock banks.

(III) *Special study of indigenous banking*

Collection of available information regarding indigenous banks and bankers and their methods of doing business. Shroffs, large and small, who do not usually call themselves bankers, should be included in the enquiry. Information should comprise capital deposits, cash balance, terms of advance, establishment, clientele, relation to agriculture, industry and trade facilities required, relation to joint stock banks and the Imperial Bank the attitude toward some sort of Governmental supervision and publicity methods to secure stability and inspire confidence.

(IV) *Investment habit and attraction of capital.*

(i) Means or institutions in existence for encouraging the investment habit. Postal cash certificates and postal savings banks. Classes of population who resort to such forms of investment and methods of attracting other classes. Alleged competition of Government with joint stock banks. Existing facility for the purchase and sale of Government securities. Hilton-Young Commission's proposal for the introduction of gold cash certificates.

(ii) Growth of the cheque habit. Effect on the same of abolition of stamp duty on cheques. Other methods of promotion like payment of Government servants and bank employees above, say Rs. 100, by cheque.

(iii) Branch banking and the investment habit. Experience of the Imperial Bank's new branches opened under agreements. Existing difficulties experienced by joint stock banks in opening new branches.

### The Personnel of the Enquiry.

Since writing the above, the Government of India consulted the Local Governments on the provisional plan and procedure and by June 1920 decided to set up a Central Committee and ten Local Committees, that is to say, one for each of the nine major provinces, and a tenth for the centrally administered areas, namely, the North-West Frontier Province, Baluchistan, Delhi, Ajmere-Marwara, etc.

The main object of the inquiry would be the investigation of the existing conditions of banking in India and the consideration of what steps, if any, were feasible and desirable under the following main heads:—

(a) Regulation of Banking with a view to protecting the interests of public

(b) Development of Banking in the sense of expansion of both indigenous and joint stock banking with special reference to the need of agriculture, commerce and industry.

(c) Banking education with a view to the provision of an Indian personnel in adequate numbers and with the necessary qualifications to meet the increasing needs of the country for a sound and well managed national system of Banking.

### THE PERSONNEL.

The personnel of the Central Banking Committees will be as follows:—Sir Bhupendia Nath Mitra, Chairman, to commence his duties on the termination of his appointment as Member of the Executive Council of the Governor-General; Sir Purshottamdas Thakurdas, Vice-Chairman, to act as Chairman pending the taking up of his duties by Sir B. N. Mitra; Messrs. D. P. Khaitan and B. F. Madon, nominated in consultation with the Federation of Indian Chambers; Sir Hugh Cocke and the Hon. J. H. Fyfe nominated in consultation with the Associated Chambers of Commerce; Dr. L. K. Hyder and Mr. Manu Subedar, Indian Economist; The Hon. V. Ramdas Pantulu and Rai Jamini Mohan Mitra Bahadur, representative of the co-operative movement; Mr. W. Lamond, nominated in consultation with

the Imperial Bank of India; Lala Harkishen Lal, Joint Stock Banker; Mr. R. W. Buckley, representative, Exchange Banker, nominated in consultation with the Exchange Banks Associations; The Hon. Raja Sir Annamalai Chettiar and Mr. Jadu Nath Roy, indigenous bankers; Mr. G. K. Devadhar, Mr. R. K. Shanmukham Chetty, Choudhary Mukhtar Singh, Sethi Haji Abdoola Haroon, Mr. Jamal Mohammad and Nawab Sir Sahibzada Abdul Quayum, representatives of the general interests of the public from the side of those who require credit facilities. Mr. M. K. Aravamudhu Ayangar as secretary.

It was proposed later on to invite Mr. R. P. Masani, Secretary of the Bombay Provincial Committee, to act as Joint Secretary to the Central Committee.

The Government of India wished to offer facilities to any of the Indian States that desired to associate themselves with the inquiry.

## The Coastal Reservation Bill

Extensive alterations were made in the Coastal Reservation Bill of Mr. S. N. Hani which was referred to a Select Committee, in the debate held in the Assembly on the 13 September 1928 (*See Register 1928 Vol II P 157*). Following is the full text of the Committee's report and that of the amended Bill.

We, the undersigned, members of the Select Committee to which the Bill to reserve the coastal traffic of India to Indian vessels was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report, with the Bill as amended by us annexed thereto.

**Title and Preamble**—We consider it more appropriate that the Bill should refer to Indian controlled rather than to Indian vessels.

**Clause 1**—An amendment has been made in sub-clause (2) consequential on the definition of "coastal traffic" in clause 2.

A proviso containing a suspending clause is necessitated by the provisions of Section 736 (1) of the Merchant Shipping Act (57 and 58 Vict. c. 60).

**Clause 2**—The definition of "coastal traffic" excludes ports in Indian States and Aden. It further exempts from the provisions of the Act the carriage of passengers with through tickets and of cargo on a through bill of lading to ports outside British India; also of mails and pilots in certain cases. These provisions are similar to those of section 7 of the Australian Navigation Act, 1912-1920. It was also decided to exempt the carriage of oil in bulk by oil-tankers as being a class of ships entitled to a special consideration.

We have considered it desirable to place subjects of Indian States in the same position as Indian British subjects for all purposes.

In view of the immunity of the Rulers of Indian States from the municipal law of British India, we decided that, in order that some measure of control should be retained, it was advisable that they should be permitted to qualify for participation in the benefits conferred by the Act only by holding shares, and not by owning vessels.

Definitions (2) in the Bill as introduced have been consolidated in the definition of "Indian controlled ship." We consider it desirable in the case of a Corporation partnership or association to prescribe a percentage of the right to profits as well as to capital and to provide that companies must be both incorporated and registered in British India in order to render control effective. We have also required that Managing Director and Managing Agent, if any, should be Indians. It was further decided to include ships owned or chartered by Government in the category of Indian-controlled ships.

We were impressed with the desirability of precluding evasions of the Act by 'benamidars' but decided that the imposition of penalties or disabilities on persons holding ships 'benami' for non-Indians or on the non-Indian beneficiaries would involve very great complications. We have, therefore, decided to make no provision



of these lines, but desire to record our recommendations that if, when the Act is in operation, this device is employed with success on a large scale, counteracting measures should be taken.

Sub-clauses (4), (5) & (6) introduce purely formal amendments.

Clause 3—The retention of the expression "common carrier" which appeared in the Bill as introduced might have defeated the object of the Bill. This expression is limited to persons who are bound to carry for the public, and shipping companies might have taken the opportunity to protect themselves against the operation of the Act by a declaration that they would not carry in all circumstances. We have avoided this difficulty by the use of the word "ship."

Clause 4—We have thought it desirable to obviate the difficulty which might arise if the total Indian-controlled tonnage applying for licenses is inadequate to the needs of the coastal traffic by providing that the Governor-General-in-Council should in each year after consulting the public fix the total tonnage which ought to be licensed and retain a power given by the proviso to clause 7 (3) in such cases to make up the desired total by licensing ships other than Indian-controlled ships.

Clause 5—In view of the provisions which we have made in clause 9 for penalties it was essential to require a definite form of application for licenses containing a signed declaration as to whether a ship is not Indian controlled together with relevant particulars.

Clause 6—In this clause we have combined clauses 4, 5, 6, 7 and 8 of the Bill as introduced. The yearly variations of tonnage provided by clause 7 necessitated the alteration of the period of validity of a license from three years to one year. We think that it is unnecessary to provide for renewal of licenses.

Clause 7—This clause reproduces substantially the provision of clause 9 of the Bill as introduced with the following modifications—

(I) We consider it essential that all bonafide Indian-controlled vessels applying for licenses in the first year should obtain them, especially in view of the fact that the number of such ships would not be excessive.

(II) In order to prevent any rush to obtain qualification by exchange of shares, etc. at the last moment before application, we have provided that, for the first year, only ships which were Indian-controlled on a fixed date to be inserted in the Bill should participate in the privileges conferred. This date should be as nearly as possible the date on which the Bill finally pass through both Chambers of the Indian Legislature.

(III) As explained with reference to clause 4, provision has been made for the licensing in each year of the total tonnage considered necessary for the needs for the coastal traffic by licensing ships other than Indian controlled ships if the latter do not apply in adequate numbers.

Clause 8—We were of opinion that a clause of this nature, based on clause 286 of the Australian Act is necessary to meet temporarily the emergence of a sudden rush of traffic between ports or a sudden local failure of shipping.

Clause 9—We considered it desirable to particularise the offences and classes of offenders generally envisaged by clause 10 of the Bill as introduced. The penalty provided in (a) for the master of a ship is designed to provide an indirect means of control over persons not otherwise amenable to the law of British India. Sub-clause (2) was added to meet the case of an offending company or firm.

Clause 10—To the provisions of clauses 11 and 12 of the Bill as introduced we have added a direction that the licenses of certain offenders under clause 9 shall be cancelled, and have made provision for forfeiture of security.

Clause 11—We have inserted a general rule making power subject to the approval of the rules by both Chambers of the Indian Legislature.

Clause 12—It was considered desirable to make it clear that the holder of a license is in no wise exempted thereby from the requirements of the Indian Merchant Shipping Act, 1923 relating to certificates etc.

We are of opinion that the Bill should be republished in view of the extensive alteration which we have made in it.

### Text of the Amended Bill

The following is the text of the Coastal Reservation Bill as amended by the Select Committee.—

A Bill to reserve the coastal traffic of Indian-controlled vessels

Whereas it is expedient to provide for the rapid development of an Indian controlled Merchant Marine.

And whereas for this purpose it is expedient to reserve the coastal traffic of India to Indian-controlled vessels, It is hereby enacted as follows :—

1 (1) This Act may be called the Indian Coastal Traffic (Reservation) Act, 19. (2) It extends to the whole of British India. (3) It shall come into force on such date as the Governor-General-in-Council may, by notification, appoint. "Provided that no such date shall be appointed until His Majesty's pleasure on this Act has been, by notification, publicly signified in British India."

2. "For the purpose" of this Act, unless there is anything repugnant in the subject or context

(1) "A ship" shall be deemed to be engaged in "coastal traffic" if it takes on board cargo or passengers at any port in British India other than Aden, to be carried to, and delivered or landed at any other port in British India other than Aden.

Provided that a ship shall not be deemed to be engaged in coastal traffic by reason only of the fact that it takes on board or carries

(a) Passengers holding through tickets to or from a port outside British India, (b) cargo consigned on a through bill of lading to and from a port outside British India and not transhipped to or from any ship engaged in coastal traffic, (c) mails in the course of a continuous voyage to or from a port outside British India and not transhipped to or from any ship engaged in coastal traffic, (d) pilots, as passengers, who are proceeding from the home station for the purpose of meeting vessels requiring their services, or who are returning to their home station after piloting vessels or (e) in the case of an oil-tanker oil in bulk.

(2) "Indian" means an Indian British subject or a subject of a State in India, and for the purpose of sub-clause, (b) of clause (3) of this section, include the Ruler of a State in India.

(3) "Indian-controlled ship" means a ship owned or chartered by the Government, or a ship owned by or if the ship is chartered owned or chartered by—

(a) an Indian, or (b) a company incorporated and registered in British India or a corporation partnership or association—

(1) in which, in the case of a company, not less than 75 per cent of the share or stock other than debenture stock or in the case of a corporation partnership or association, not less than 75 per cent of the capital and the right to not less than 83 per cent of the profits is vested in Indians in their own right and for their own benefit, free from any trust or fiduciary obligation in favour of any person other than an Indian.

(2) on which the Chairman of Board of Directors and the "Managing Director if any" and not less than 75 per cent, of the members of the Board of Directors are Indians ;

(3) in which not less than 75 per cent of the voting power is vested in Indians.

"Provided that voting power vested in an Indian shall be deemed not to be so vested," if, by any contract or understanding or otherwise, it is arranged that such power is to be exercised directly or indirectly in behalf of any person other than an Indian ; and (4) "of which the Managing Agent, if any is an Indian or the Managing Firm, if any, fulfils the conditions specified in clauses 1, 2, and 3."

(4) "license" means a license for coastal traffic issued under this Act ;

(5) "notification" means a notification in the Gazette of India ; and

• (6) "prescribed" means prescribed by rules made under this Act.

3. No ship shall engage in coastal traffic unless it is licensed for the purposes under this Act.

4. (1) The Governor-General-in-Council shall, in each year not less than two months before the date on which it is intended to issue licenses, by notification publish an estimate of the total tonnage which is, in his opinion essential for the needs

of the coastal traffic in that year, and invite opinion as to such estimate and fix the date on which such opinions will be taken into consideration and the date up to which applications for licenses may be made.

(2) The Governor-General-in-Council after considering any opinions which he may receive before the date so fixed, shall determine and publish by notification the total tonnage essential for the needs of the coastal traffic.

5. (1) Any person desiring to engage in coastal traffic in any year may within the date fixed under sub-section (1) of section 4, apply for a license.

(2) Every such application shall be in the prescribed form, and shall contain a signed declaration stating whether the ship in respect of which the application is made is an Indian-controlled ship and such particulars as may be prescribed to enable the Governor-General-in-Council to satisfy himself as to the accuracy of such declaration.

6. The Governor-General-in-Council may, subject to the conditions hereinafter contained in section 7, after considering the applications, issue license in the prescribed form and on the prescribed conditions to ships of aggregate tonnage not exceeding the tonnage determined under sub-section (2) of section 4.

(2) A licence shall be valid only for the year in respect of which it is issued.

(3) Before issuing a licence, the Governor-General-in-Council may require from the person applying therefor such security not exceeding 50,000 rupees the Governor-General-in-Council may think fit, for compliance with the conditions thereof.

7. (1) in respect of the first year after the commencement of this Act, licences shall be issued to all Indian controlled ships in respect of which applications for licences have been received which were Indian-controlled ships on the day of application.

(2) in regard to the second, third and fourth years, licences shall be reserved for Indian-controlled ships up to an aggregate tonnage of two-fifths, and four-fifths, respectively of that tonnage determined for that year under sub-section (2) of sec. 4.

(3) in respect of every year after the fourth year, licences shall be issued to Indian-controlled ships only:

Provided that if, after every application for a licence in respect of an Indian-controlled ship has been considered, the aggregate tonnage of the Indian-controlled ships which have been licensed is less, in the second, third, fourth year, than the tonnage up to which licences have been reserved for Indian-controlled ships under sub-section (2) or in any year, after the fourth year than the tonnage determined under sub-section (2) of section 4, the deficiency may be made good by the issue of licences to ships other than Indian-controlled ships.

8. If the Governor-General-in-Council is satisfied that no licensed ship is available for, or that the service rendered by licensed ships is inadequate to the needs of the coastal traffic to or from any port or between any ports in British India and

(b) is desirable in the public interest to take action in this behalf, the Governor-General in Council may issue permits in the prescribed form to licensed ships to engage for a period not exceeding three months in coastal traffic, subject to such conditions as may be specified in the permits, and nothing in section 3 shall apply to a ship to which such a permit has been issued the continuance of the permit.

9. (1) Any person who—

(a) is the owner, charterer or agent or has command or charge of a ship which contravenes the provisions of section 3, or (b) contravenes the conditions of a license, or (c) signs a false statement or false declaration in an application for a license, knowing the same to be false,

shall be punishable with simple imprisonment not exceeding six months, or with fine not exceeding ten thousand rupees, or with both.

(2) When a person punishable under sub-section (1) is a company, corporation, partnership of association, any secretary, director or other officer or person concerned with the management thereof shall be punishable as provided in that sub-section, unless he proves that the offence was committed without his knowledge or without his consent.

10. (1) Where any person is convicted of an offence under clause (b) or clause (c) of sub-section (1) of section 9, the licence in respect of which the offence has been committed shall be cancelled.

(2) If in any other case the Governor-General-in-Council is satisfied that there has been a breach of the conditions of a licence, the Governor-General-in-Council may cancel the licence.

Provided that no licence shall be cancelled unless the holder thereof has been given an opportunity to show cause against the cancellation.

(3) Where any licence is cancelled under this section in consequence of a breach of the conditions thereof, the Governor-General-in-Council may direct that any security taken under sub-section (3) of section 6 for compliance with such conditions shall be forfeited in whole or in part.

11 (1) The Governor-General-in-Council may, by notification, make rules carrying out purposes of this Act

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters namely:—

(a) the form of licences; (b) the conditions of licences; (c) the manner and form in which application for licences shall be made; (d) the particulars to be contained in applications for licences; and (e) the form of permits

(3) No notification shall be made under sub-section (1) unless it has been laid in draft before both Chambers of the Indian Legislature and has been approved by a Resolution of each Chamber, either without modifications and additions to which both Chambers agree, but upon such approval being given, the notification may be issued in the form in which it has been so approved

12 Nothing contained in this Act shall derogate from any of the provisions of the Indian Merchant Shipping Act, 1923

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# The U. P. Jails Committee Report.

The Government of the United Provinces appointed on June 5, 1928, a committee composed of Sir Louis Stuart (chairman), Mr. Hafiz Hidayat Hussain and Pandit Jagat Narain (members) to inquire into—

(a) the jail administration of these Provinces in general with particular reference to the present state of discipline; (b) the organization of the jail services with particular reference to the management of Central Prisons and the larger district jails; (c) the adequacy of supervision; (d) the possibility of expansion of education of juvenile prisoners and of vocational training, (e) any cognate matters;

and to suggest such measures for improvement as may appear necessary or desirable with an estimate of the cost where improvements involve increased expenditure.

## The Indian View.

Following are extracts from the note of Pandit Jagat Narain and Mr. Hafiz Hidayat Hussain on the treatment of prisoners:—

How to treat the different classes of prisoners, European and Eurasian, Political and Better Class, is a question which cannot be easily answered. Having regard to the conditions prevailing in India a just and fair solution of the problem is very difficult. We believe that any solution proposed by us without paying due regard to Indian sentiment will be unacceptable and unsatisfactory.

No self-respecting Indian can agree to any differential or special treatment being meted out to anyone in Indian jails on the ground of his race, creed or colour. And if he finds that such treatment is sanctioned by the Government then it is his duty to raise his voice in protest.

Special treatment is accorded to European prisoners which extends to diet, clothing and accommodation. The question naturally arises, why this differential treatment is meted out to Europeans only? In discussing this question in his note Sir Louis Stuart has remarked "that this differentiation is rightly justified by the fact that the diet of an Indian prisoner would disagree with the health of a European prisoner and that a diminution below a certain point in the amenities of life granted to him will operate too harshly on him." We are sorry to say that we cannot agree with this opinion and have come to the conclusion that this differential treatment is based on the ground of race, creed and colour. We are prepared to accept this argument as sound provided its application be extended to the Indian prisoners who belong to the educated and upper classes of Indian society.

We want to make it clear that we in no way directly or indirectly desire that any privileges enjoyed by the European prisoners should be taken away from them provided that the same privileges be also extended to Indian prisoners. But if the lot of Indian prisoners similarly situated, better educated, occupying a higher social status, and used to a higher standard of living cannot be improved, then surely this differential treatment will not and cannot be tolerated by Indian public opinion. There are only two alternatives open to Government—either to treat all alike or to give differential treatment to Indians, whom we have called "better class prisoners." It is open to Government to decide which of these alternatives to choose.

Regarding the disparity of rations issued, we were informed that scale No. 1 is meant for those Europeans who are 120 lbs. or more in weight, and a European requires more food because he is heavier in weight. In reply to this we maintain that at least 50 per cent. of the Indian prisoners will weigh 1 maund and 20 seers i.e., 120 lbs., and if the issue of diet is to be regulated by

consideration of weight—we do not contend that it should not be so—then the complaint of the Indian prisoners that they are underfed is fully justified.

We are under the impression that quantity for quantity a European eats less than an Indian per day, one being a meat eater and the other being principally a vegetarian whatever may be the difference in the food values of their diets. Even if we be wrong in our impressions, the raising of a false issue of food values and chemical values of different kinds of food cannot meet the objections raised by us.

Although the clothing given to European prisoners is not very good it is not degrading. But that issued to Indians is wholly insufficient. The question remains why an educated Indian or a better class prisoner should be compelled to wear "jangias" all the year round and not a European who is more used to wear shorts outside the jail. But the greatest unfairness and injustice is done in the issue of blankets. A European prisoner sleeps inside his cell. During the winter months he is protected from cold winds, whilst the vast majority of Indian prisoners sleep in an Association Barrack which is open from all sides. Notwithstanding this a European prisoner gets three blankets and the other gets only two, one of which is always an old one.

The only inference that can be drawn from the facts stated above is, that this differential treatment has for its basis considerations of race, creed and colour. We believe that if Europeans be treated in our jails in the way in which Indians are treated there will be such a tremendous agitation in Europe and elsewhere that the Government will be compelled to change its way.

To meet these objections, sometimes a lame answer is given and that is that the rules have empowered Jail Superintendents to issue extra articles or to change the prescribed diet on medical grounds and that Superintendents do so in some cases. It is not necessary for us to show that the reply is absolutely unsatisfactory, and does not meet the point at all.

Even the highest in the land is treated in a different way from the European prisoners.

The principle that there should be no special treatment where the offence in itself involves moral turpitude or moral degradation, whatever be the motive or whatever be the previous circumstances of the criminal appears on the face of it to be sound. But after careful consideration we refuse to accept it. Will it be applied to the case of European convicts? If not, then we strongly object to its being applied to Indian prisoners alone.

Is a villager who commits theft to provide food for his starving family, an Indian treasurer of a bank who forges documents or fabricates false accounts, a greater moral leper compared to a European who forges books of account, or issues bogus cheques and thereby cheats a large number of firms, or a European Banker who floats bogus companies or issues fraudulent balance-sheets? If they are equally morally degraded then why should one get only "chapatis and "dal" and the other get sugar, tea, butter, cutlets and potatoes?

About 75 per cent of our jail population consists of labourers and clothing and accommodation is not satisfactory and should be improved.

Europeans and Eurasians should not be deprived of the diet, clothing and accommodation allowed to them under the present rules provided Indians of equal status and equal criminality receive the same favourable treatment.

Conditions of society in India are such that differential treatment of better class prisoners is permissible.

Having regard to differences in race, creed and habits minor differences in the details of diet and clothing should be allowed.

The standard of living to which a better class prisoner was used should be considered regarding his diet, clothes and accommodation because diminution below a certain point in the amenities of life granted to a person used to a better standard of living operates very harshly upon him.

There should be an appreciable difference in the treatment of those who are guilty of an offence involving moral turpitude and those who are not guilty of an offence involving moral turpitude.

Those whose guilt does not involve moral degradation (both Europeans and Indians, political and non-political) should be centralized if possible at one place preferably Dehra Dun.

There is no doubt that the question of the treatment of what are known as "Indian political prisoners" has excited a considerable amount of controversy. It is maintained and urged with great vehemence that the treatment meted out to the Indian political prisoners is absolutely different from what is meted to such persons in England. We have not been referred to any law, rule or regulation in support of this contention. We have done our best to find out whether it is so but we have failed, and are driven to the conclusion that no such distinction is made between any criminals in England.

As we recommend that all those offenders whose offence does not involve moral turpitude and whose social status and mode of living is different from the rest of our jail population should receive special treatment and as we believe a majority of political prisoners defined by us will be covered by our general recommendations, it is not necessary for us to make any recommendations in favour of political prisoners as such. In our opinion they will come under the heading of better class prisoners.

The Better Class Prisoners will include educated middle class men and men of better social status who are used to better mode of living whether Indian or European. These can be conveniently divided into two groups (1) Those whose guilt involves moral turpitude and degradation and (2) those whose guilt does not involve moral turpitude or degradation. We were obliged to divide them into the above two groups because of the fact that European and Eurasian prisoners in our opinion receive preferential treatment on the ground of their race, creed and colour and which in our opinion is not justified. After careful consideration we are prepared to recommend preferential treatment to both the groups with some difference.

Most of our jail population are poor agriculturists and labourers. At least 50 per cent. of them are better clothed in jails and have the certainty of getting two meals per day. If a prisoner used to a better standard of living is compelled to take the "chapatis" and "dal" provided by jails he is practically punished twice over by the issue of this penal diet to him. By working on drawing water, flour mills and oil mills instead of being reformed he feels degraded and loses his self-respect.

We have recommended certain improvements in the diet, clothing etc., etc., of an ordinary prisoner. With those improvements we recommend the same treatment to the group of prisoners whose guilt involves moral turpitude with this proviso that if they want a cot, bedding, shoes, sheets, "ghis," sugar and milk, etc. they should pay for them. For European and Eurasian prisoners of this group we recommend bread, butter, rice, "dal", vegetables and potatoes as food to be supplied by Government. But if they want sugar, tea, meat and milk, etc., they must pay for it. Similarly they must pay for pillows, sheets, cots, etc., etc. Both Indians and Europeans of this group should be treated alike. There will naturally be difference in their food and dress. If an Indian prisoner of this group is used to the English mode of living he should be treated exactly like his fellow European prisoner. No punishment should be awarded to an Indian prisoner of this group and no hard labour should be taken from him which is not awarded to or taken from a European of this group.

Those whose guilt does not involve moral degradation should be centralized at one place—preferably Dehra Dun if sufficient accommodation is provided. This group would consist of both Europeans and Indians, political and non-political, whose guilt does not involve moral turpitude. The Government will have to bear all their expenses. We leave the classification of better class prisoners in the hand of the trial court.

#### Chairman's Note

The Chairman in a separate note said :—

I am in accord with some of the conclusions at which Pandit Jagat Naram and Hafiz Hidayat Husain have arrived, and I consider that there should be

differentiation of treatment in the case of certain Indian convicts, whose former manner of life has been such as to render jail conditions peculiarly unpleasant to them. But the remedy which I wish to see applied is not the remedy which the other members would apply.

They are ready to leave the treatment of European and Anglo-Indian convicts as it is at present, provided that certain concessions are made to certain classes of Indian convicts. They would, however, give exactly the same treatment to European and Anglo-Indian convicts, if those concessions are not made.

I am not in favour of treating European convicts in the same manner as the ordinary Indian convict is treated in any circumstances. I am strongly opposed to any European convict being given Indian clothes, and the diet of "chapatis, dal" and vegetables which form the diet of the ordinary Indian convict. I do not base my views upon any racial distinction. I have always held the view that the punishments to be inflicted upon Europeans, who commit offences should be no less than the punishments inflicted upon Indians who commit the same offences, and I defend the differential treatment of Europeans not because they are Europeans but on what I believe to be the fact that their health would suffer unfairly if this differentiation of treatment were not made.

I am strongly opposed to a differential treatment of a man who has committed a crime involving moral turpitude because he belongs to the upper classes and would give it only upon a consideration of his health. Where a member of the upper classes has committed a crime which in itself has degraded him to lower than the level of a working man there should be no differentiation. But where the crime is not of that character I am ready to accept a certain differentiation based upon habits of living which will be determined on the nature of the crime and the previous habits of the criminal.

When I find, as I have found, men belonging to higher society in India who have taken part in gang robberies, and while taking part in such robberies have associated with professional criminals and members of registered criminal tribes, have spent the night in the jungle in their company and have eaten together with them, I fail to understand how such persons can claim differential treatment on the ground of their social position except for reasons of health. Not only have they forfeited their social position they have accepted the standard of living of the lowest while the crimes were being committed. They cannot with any reason complain if they are made to adopt the same standard when they are suffering punishment for the crime.

But where the crime in itself does not involve moral turpitude I am ready to accept a differentiation of treatment and the manner in which I consider this differentiation should be made is as follows :—

A special jail should be constructed in Dehra Dun for the reception of :—

- (1) European and Anglo-Indian male convicts either habitual or non-habitual,
- (2) European female convicts either habitual or non-habitual,
- (3) Indian convicts who have adopted the European mode of living who have committed offences not involving moral turpitude,
- (4) Indian convicts of a superior class who have committed offences not involving moral turpitude

There is another point however on which I cannot agree with the other members. They would leave the classification of the Indian convicts, confined in the Dehra Dun jail to the courts. According to my view, the courts should suggest, but no Indian convict should be sent to Dehra Dun until his case has been considered by the Local Government and his case has been accepted by them as justifying differential treatment.

#### Other Recommendations.

Among other recommendations the Committee made the following :—

- (1) The appointment of a Deputy Inspector-General not only to assist the Inspector-General in his inspections, but for the performance of certain other specified duties.
- (2) A Secretary Inspector to supervise routine work in the Inspector-General's office.



- (3) A Supervisor of the Public Works Department to be attached to the office of the Inspector General to prepare plans and estimates.
- (4) The retention of medical officers as Superintendents of Jails.
- (5) No Superintendent of a Central Prison should be retained in collateral charge of a District Jail.
- (6) The post of Superintendent of Central Prison should not necessarily be reserved for I. M. S. officers.
- (7) Whole-time Superintendents should be appointed to the larger Dist. Jails.
- (8) The executive side of Central Prisons should be increased by the addition of three Deputy Jailers.
- (9) The staff of the Jailer in Central Prisons should be increased by two.
- (10) A special allowance for the executive staff of Central Prisons.
- (11) The executive staff of Central Prisons should be recruited separately.

## Extension of Assembly's Term.

On the 23rd May 1929 a *Gazette of India (Extraordinary)* contained the following announcement by His Excellency the Governor-General —

"In the ordinary course of events I should have dissolved the Legislative Assembly about the end of September in order to allow of elections being held in time to permit the Legislative Assembly to meet in January, 1930. Having regard to the position of public affairs, I do not propose, as at present advised, to take this action and it is proper that I should indicate the reasons which have led me to this conclusion.

"At a time when political interest in India must necessarily be centred upon the future constitutional changes that must in due course be considered by Parliament, there are evident disadvantages in holding elections for the Assembly on the eve of the publication of the report of the Statutory Commission. Although it is possible that some at least of the reports of the provincial committees may have been published earlier, the publication of the report of the Statutory Committee and possibly of some of the provincial committees can hardly, so far as I can predict the course of events, be expected before the close of the present year or the beginning of next year. At the time, therefore, when the election would normally be held there will inevitably be speculation as to the possible recommendations of these bodies and forecasts, most of which must necessarily be without foundation, will be widely published. The resulting uncertainty could not fail to be embarrassing both to the candidates and the elector who would in such circumstances be called upon to discharge their respective responsibilities at this important juncture.

"The question then arises how far I should exercise the power to extend the life of the Assembly which is conferred upon me by the Government of India Act. I have received strong representations to the effect that the elections should be postponed until it would be possible to bring any constitutional changes into operation. I have considered this suggestion, but in view of the uncertainty of the time table subsequent to the conclusion of the present enquiry I have thought it better to come to no final decision at present on the actual period of extension, and I shall reconsider the matter before the necessity arises of making a formal order for the extension of the life of the Assembly beyond its normal term."

### Pt. Motilal's Statement

The above announcement was the subject of a keen political discussion and Pandit Motilal Nehru as president of the All-India Congress Committee issued the following statement to the press :—

In the statement I made to the members of the All-India Congress Committee at Bombay on the 25th May with reference to the recent pronouncement of the Governor-General regarding the extension of the life of the present Assembly, I promised to publish certain relevant facts on receipt of the Governor-General's reply to the telegram I had sent him that morning. On the 24th May I had wired to President Patel to confirm my recollection of the facts. His reply was received on the afternoon of the 25th after I had made the statement above referred to and the All-India Congress Committee had passed

## EXTENSION OF ASSEMBLY'S TERM

the resolution authorising the Working Committee to take action in the matter. President Patel's telegram showed that it was sent after a reference to the Viceroy, but as I had already wired to the latter direct I felt that I should wait for his reply before making any use of President Patel's telegram. On the 27th May I received a telegram from the Viceroy saying that he had no objection to my making public use of the telegram sent by President Patel and adding that he had written me a letter on the subject. I returned to Allahabad yesterday and found His Excellency's letter awaiting me.

## President Patel's Telegram.

The facts are clearly stated in the telegram of President Patel which runs as follows:—'Your telegram. At some stage last session you wanted the Assembly to discuss the question of the extension or otherwise of the life of the Assembly and for that purpose you requested the Leader of the House for a day which he declined to grant. You thereupon wanted to move an adjournment of the House to discuss the impropriety of such refusal. I saw the Viceroy and told him about the convention in the House of Commons that the Leader of the Opposition was entitled to have a day to discuss any question of public importance. He said that the matter proposed to be discussed was one within his exclusive prerogative and the President could not admit an adjournment motion on refusal by Government to give a day to discuss such matter. I expressed my dissent and pointed out that the Assembly was entitled to discuss the question as to what advice Government should or should not give the Governor-General in the matter. The Viceroy said that he was not under the constitution bound to seek or accept the advice and, therefore, he would disallow the motion for adjournment. He then took me into his confidence and said that it was not at present necessary for the Leader of the Opposition to have the question of extension discussed in the Assembly, for so far as he was concerned, although he had not finally made up his mind, he thought it very improbable that he would extend the Assembly and that I should convey that message to Pandit Motilal and also that if he changed his mind thereafter he would let him know of it in time so that Pandit could give notice of motion for adjournment. In any case he would have to disallow such motion under the powers vested in him if the President admitted it and was prepared to face criticism. I conveyed the message to you and you dropped the idea of moving the adjournment. At a later date in the session, Viceroy says, he spoke to me again on the subject and asked me to give you further message that he saw no reason to anticipate that he would change his mind as to extension but it was probable that he would not make up his mind finally till after the Assembly session was concluded and might then change it. He, therefore, wished me to warn you of the possibility so that he might avoid incurring any charge of bad faith later. I have no recollection of this second message, but we were discussing many other matters and I am bound to take Viceroy's word on the matter. I understand His Excellency is writing you personally.'

Although President Patel has no recollection of the second message of the Viceroy I am assured by His Excellency in his letter that he has a very clear recollection of it and I fully accept that assurance. The fact, however, remains that the message was never conveyed to me and that I was deprived of the opportunity to raise the question in the House which was essential from the point of view of the Congress.

## Country's Resolve.

The Indian National Congress at its Madras session in 1927 passed the following resolution:—

'Whereas the British Government has appointed the Statutory Commission in direct disregard of India's right of self-determination, this Congress resolves that the only self-respecting course for India to adopt is to boycott the Commission "at every stage and in every form."

This was followed by the resolution carried in the Assembly on the 11th February, 1929, declaring that 'the present constitution and scheme of the Statutory Commission are wholly unacceptable to the House and that this House will therefore have nothing to do with the Commission "at any stage and in any form."

In March, 1928, the budget demand for the expenses of the Statutory Commission was refused by the House.

Any attempt to extend the lives of the present Legislatures with a view to bring before the country the recommendations of the Statutory Commission is obviously an open defiance of the country's resolve to have nothing to do with it 'at any stage and in any form'. The discussion which I was prevented from raising through no fault of mine was intended to obtain the verdict of the House on this point.

The resolution passed by the Congress at its last session in Calcutta clearly shows that after the 31st December, 1929, it will have other things to concern itself with than Statutory Commissions and their recommendations.

#### A Clear Cut Issue

The only reason given by the Viceroy for extension is that 'there will inevitably be speculation as to the possible recommendations of these bodies, and forecasts, most of which must necessarily be without foundation, will be widely published.' So far as the Congress is concerned there is no room for any speculation and forecasts whatever. The issue before it is a clear cut one and that is 'Is India to have a constitution framed by herself or one imposed upon it from outside?' The Congress has given its answer and will abide by it.

The possible period of extension foreshadowed by the Viceroy goes far beyond the reason assigned for it. His Excellency says 'I have received strong representations to the effect that the elections should be postponed until it would be possible to bring any constitutional changes into operation,' and it is only in view of the 'uncertainty of the time table,' that his Excellency has come to no final decision on the suggestion. This means that the general elections may be held over till the constitution recommended by the Statutory Commission has received the sanction of Parliament and become an accomplished fact. What will then be the issue before the electorates? It cannot be the Statutory Commission or their report whatever else it may be.

#### Congressmen not to Attend Legislatures

In view of the fact that the Viceroy has not finally made up his mind the Working Committee after careful consideration has for the present issued "ad interim" instructions to the Congress members in the various Legislatures to be followed pending further developments. The following resolution was unanimously adopted by the Working Committee on the 26th May and is now published for general information and strict compliance by Congress members of the central and provincial Legislatures:—

'In view of the fact that the postponement of the dissolution of the central and provincial Legislatures is a clear attempt on the part of the Government to prevent the electorates from expressing by their votes the declared opposition by the people to the Statutory Commission and the whole policy underlying its appointment and functioning, this committee resolves:—

(a) that all Congress members of the central Legislature and of any of the Provincial Councils, excepting Bengal and Assam, shall abstain from attending any meeting of the said Legislature or Councils or any of the committee appointed by them or by the Government till such time as the A. I. C. C. or the Working Committee decides otherwise.

(b) that the Congress members of the Legislatures shall henceforth devote all their available time to the carrying out of the Congress programme.

Provided that the Congress members of the Bengal and Assam Councils shall after being elected attend only one meeting for the sole purpose of registering their names.'

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The resolution  
that after the 31st  
Statutory Commr

## Indians in East Africa.

The  
specimen

The following note on the position of Indians in East Africa was submitted to the All India Congress Committee by Mr. U. K. Oza, Editor of the "Democrat," Nairobi:—

There are about 70,000 Indians in Kenya, Zanzibar, Tanganyika and Uganda together. These countries form a group of North-East African territories belonging to Britain. Of these Tanganyika, formerly German East Africa, is held under a mandate from the League of Nations, Zanzibar is an Arab state under the protection and suzerainty of Great Britain, the coast-line of what is now known as Kenya, including Mombasa is held on behalf of the Sultan of Zanzibar to whom a rental is being paid every year, Kenya proper is a crown colony and Uganda is a conglomerate of native kingdoms and minor chiefships over which Britain exercises a protectorate.

Indians have been settled in Zanzibar and on the coast for several centuries. They held a position of great trust and political influence at the Arab Court of Zanzibar long before the British came and the first British relations with Zanzibar began in discharge of the obligations the Government of India owed to the Maharao of Cutch whose subjects in the main the Indians at the Sultan's Court were. All along the coast there are Indians who have never seen India, who have made Africa their home, have taken native women to wives and who lead a full social life in Africa without any reference to India. They own a vast amount of property, have built splendid and substantial houses, temples and mosques and some Indian firms carry on trade even to-day in their own vessels. Indians in Tanganyika own vast sisal plantations, and the coast is practically in the hands of Arab, Swahili and Indian merchants and landowners.

When the Government of Great Britain decided to build the Kenya and Uganda Railway or the Uganda Railway as it was originally known, Indian staff, labour and materials were largely employed. This history of this costly enterprise has not yet been written except partially in a book called "the Maneaters of Tsavo" which narrates how the African lions took their toll of valuable Indian lives in order to open the way for British colonization. The Indian trader and artisan followed and in many cases preceded the railway until to-day Indian shopkeepers and Indian carpenters and masons are to be found in the deepest recesses of British East Africa, hundreds of miles inland, pioneers of civilization and trade, the real flagbearers of Britain.

The economic life of Zanzibar is even now entirely in the hands of Arabs and Indians. The Germans knew the value of the Indian traders and allowed Indians unrestricted admission in Tanganyika. Our people play a useful and valuable part in the economic life of Uganda which centres round the growing and ginning of cotton. It is only in the Crown Colony of Kenya that Indians labour under heavy economic disabilities.

In the same way Indians have their due share in the political life of Zanzibar. In Tanganyika and Uganda representative institutions have not yet come into existence but a distinction is made in the number of non-official nominees to the Legislative Councils of both the territories. The Council in Tanganyika consists of five non-official Europeans and two non-official Indians, besides officials. That in Uganda has two non-official Europeans and one non-official Indian, besides officials. The latter in both cases are always exclusively European.

In Kenya though so far an official majority has been maintained, the principle of electoral representation has been applied. The immigrant communities have been divided into two separate electorates—European and Indian and the adult member of each race votes for a member of his own race through his own electorate.

## INDIANS IN EAST AFRICA

A separate electoral register is maintained for the Indians. The Europeans have 11 seats on the Council while the Indian community have only five. The principle has been laid down that the Indians should have "adequate representation for their interests." It may be noted in passing that the numerical strength of the Indians everywhere is much greater than that of the Europeans. In Kenya there are 26,000 Indians, in Uganda about 11,000 and in Tanganyika about 15,000 compared to 12,000 Europeans in Kenya, 1700 in Uganda and 5000 Europeans in Tanganyika.

In 1927, the Government of Great Britain appointed a Commission now known as the Hilton Young Commission to inquire into and report on the possibilities of uniting Kenya, Uganda and Tanganyika and ultimately Zanzibar in an East African Federation under a Governor-General. The report of this commission has been published last January, and discussions are proceeding at the present moment in East Africa as to the action to be taken on the report. The final determination of the position of Indians both in the political and economic life of Kenya will ultimately affect once for all the position of Indians in other territories. It is therefore very necessary that political Leaders in India should have a clear grasp of the situation and of the issues at stake, so that when the time to take a decision arrives, no propaganda or vague promises should delude them into accepting as victory what really may be an inglorious defeat. In the course of this note I shall stick to the issues at stake in Kenya and point out the dangers of these issues being replanted in other territories and leave the Indian people to take their own decisions.

### The Economic issue in Kenya.

Kenya is divided into three belts of land—the fertile coastal belt, the waterless, desert lowlands and the fertile highlands. The coastal belt is only 13 or 14 miles wide, the desert tract is just sheltered behind the coastal belt and the highlands are supposed to begin from Kiu and extend inland to Fort Ternan. The lowlands have never been distinguished by actual description or definition from the highlands but may be said to begin from about 270 miles and ending near about 539 miles inland from the coast.

It was about 1903 and 1904 that the Government of British East Africa as it was then called entered upon a policy of alienating vast tracts of African lands to British aristocrats and capitalists, in many cases without charging anything and in others charging only a nominal value. The process went on for some years till a solid block of the most fertile land of the colony passed into the hands of British farmers. In order to make room for British settlement in these regions the "Masai" were divided and removed to practically waterless narrow tracts and Indians were refused land in that area. Though in 1903 it was announced that there would be no discrimination with regard to land amongst subjects of his Majesty, an announcement in 1908 promised the Highlands to Europeans alone. It was this promise which was made so much of by the Europeans in 1922-23.

The practical reservation for some years in the beginning and the actual reservation of the highlands for the exclusive settlement of Europeans has compelled the Indian community to restrict its activity to trade alone. Coffee, maize, wattle, ghee, butter, sugar, wheat—all these are products of the highlands and are the monopoly of the white farmers. As stated above the lowlands are a waterless desert tract which has not even been properly surveyed. The Government of India have been asked in the past to send out a land expert to investigate the suitability of lowland areas for cultivation and settlement but so far no reply has ever been received. A resolution to this effect has once more been passed during the last session of the Congress and it remains to be seen what response the Government of India make to this suggestion.

The means of producing the wealth of the country are as stated above monopolised by a handful of white farmers. The Government of the colony have made the development of the highlands the basis of their policy and Kenya suffers from the consequences of this policy.

The white farmers produce sugar, wheat flour, maize flour, butter, ghee, timber, etc. but the cost of production and transport is so high that at every

stage they require protection and subsidy. The Indian population are the largest consumers of their products and it is they who pay for the protection afforded by the Government of Kenya to local products. This is done not by means of subsidies but by means of extremely high tariff walls, and manipulation of railway freights. Indian cotton piecegoods are further distinguished by a difference in the method of levying custom duty.

Kenya is essentially an agricultural country and its only area in which agriculture could be carried on with profit is the area of the highlands. This is reserved for the Europeans. There is no scope for industrial development in Kenya. Wherever there are opportunities of agricultural or industrial work, Indians have not neglected availing themselves of them. The largest sisal plantations in Tanganyika belong to Indians. The largest sugar-cane plantation in East Africa and the only one in Uganda belongs to an Indian. The same gentleman who owns this sugar-cane plantation also owns the largest sugar manufactory in East Africa. The Khalfan Soap Manufactory in Mombasa is a very flourishing concern and about 96 per cent of cotton in Uganda is ginned by Indian proprietors of ginneries. Prohibition from owning land in the highlands of Kenya and the deliberate neglect in surveying land in the lowlands place the Indian community at a great disadvantage. The Indians are compelled on this account to confine themselves to townships and unless they follow a liberal profession, even the best of them have to restrict themselves to trade or subordinate Government service. That the Indians have no economic future in East Africa has been noticed by the Hilton Young Commission also. It is therefore necessary that we should exert ourselves on this side and seek to undo the great injustice perpetrated on us in the shape of the reservation of the highlands of Kenya. And the earlier, the better. Such highland patches are now being thrown open for settlement in Tanganyika and in Uganda and once these territories are drawn within the orbit of Kenya, the same policy will be pursued there. It will be a mistake to rely on the mandate protecting our interests.

In order to secure the highlands being reserved for the Europeans a system of land reserves is being developed in Kenya. The highlands form a white reserve, while the native tribes have been allotted land in narrow areas situated away from highways and the railway. The natives cannot settle or own land outside the reserves. Thus most of the lands originally forming native pasture lands and reserve stock against necessity of more extensive cultivation has been confiscated for being made over to white farmers and exploiters. These native reserves are neither adequate for the future needs of the tribes to whom they are respectively allotted nor comprise the best of lands.

#### Our Land Policy in Kenya.

The land policy of the Indian community of Kenya came up for discussion on the 1st of March, 1929 when the All Kenya Standing Committee met to consider the report of the Hilton Young Commission. Inasmuch as the whole question of imperial policy in Kenya was under review, the Committee felt justified in treating the issue as open for revision and reconsideration and the following resolutions were unanimously passed. These were subsequently endorsed by the full Congress.

#### Resolutions.

The Committee is of opinion that

- (a) In view of the inability of the native population to protect themselves from unfair expropriation by non-natives under a system of free competition for land, adequate areas of good land should be reserved for them to meet their immediate and prospective needs.
- (b) Such reservation should be inviolable, except in that with the permission of the Central authority small sites may be alienated for commercial and industrial purposes.
- (c) Natives shall be free to acquire land outside the reserves.
- (d) The immigrant communities without distinction of race should not be allowed to acquire and own more land than they can bring under beneficial occupation within five years.

- (e) All alienated land not so brought under beneficial occupation should be subject to graded taxation.
- (f) There should be no racial discrimination in the grant or transfer of land as between immigrant communities.

The resolutions have a twofold object in view. The Congress has accepted the principle that native interests should be paramount and therefore the utmost facilities should exist for the sons of the soil to acquire and own land wherever they like; secondly the principle of reservation of areas for immigrant communities on a racial basis has been definitely repudiated. The white farmers and the Government of Great Britain reopened the issues of 1923 by asking for a constitutional advance of a threatening character and the Indian community of Kenya feel that they are justified in re-stating their opposition to the land policy of the Government of Kenya. It seems that the members of the Hilton Young Commission were led either by the officials of the Government of Kenya or by representatives of the Government of India into believing that there had never been a real demand for Indian settlement in Kenya. The A. K. S. C. found it necessary to correct this mis-statement of facts and had to place on record that "The observations of the Commission (page 29) that there is no real demand for Indian settlement in Kenya are not well-founded as the needs of Indian settlers for suitable land and facilities for successful farming were not sympathetically met in the past and Indian settlement needs only encouragement such as is given to European settlers to develop."

I should strongly recommend that the Government of India and Indian Princes should assist emigration to East Africa on organized lines. Even European settlement in Kenya has to be assisted and encouraged in England. Indian agriculturists need to be persuaded to emigrate and their natural timidity requires to be overcome by dissemination of information and schemes of settlement. There are vast areas of suitable land in the highlands of Kenya, in Tanganyika and in Uganda and much pressure on Indian land may be relieved by large scale purchasers acquiring land and parcelling it out amongst small tenant farmers or by the Government and Princes acquiring land in Kenya for the settlement of small peasant proprietors.

#### Trade, Commerce and Industry.

Indians do not labour under any special disabilities in respect of trade, commerce and industries and I am very happy to note that the relations of Indians and Europeans are excellent in the field of commerce and retail trade. But the organization of Indian trade is not sound and the absence of an Indian Banking House inflicts great hardship on Indian enterprise. East Africa's trade with India in cotton piecegoods has considerably declined within recent years and Indian firms have taken no pains whatever to develop relations with Africa. The only territory in which Bombay firms have offices is Uganda where cotton is grown, ginned and prepared for export. The absence of a Bureau for information in India is a great handicap. East Africa offers a very advantageous field for Indian piecegoods and other articles. The trade delegation of the Government of India has made several recommendations already. But the general feeling in East Africa is that until we are in a position to have our own mercantile fleet and an exchange bank, we shall not be able to make much headway. The Congress Party in the Assembly should however press for the establishment of a Bureau of Trade and information in Bombay with branches in suitable countries. It is also necessary that an effort should be made to strengthen our position in East African Commerce. Retail Trade or Commission Agencies of overseas manufacturers can in no way secure a permanency of footing so that if we are not able to get the present land policy in Kenya revised, we shall have to strengthen our footing in commerce. The Congress can assist the Indian Community in East Africa by sending out a body of experts to explore the possibilities of developing East Africa through Indian agency.

#### The Political Issue.

Ever since constitutional organization began in Kenya, the position of Indians has been precarious. The white farmers of Kenya, a more handful



even at present, formed the determination of planting in the midst of an overwhelming number of Africans and Indians a white dominion and with this end in view assigned to the Indian community an inferior political status and a restricted interest in the political life of the country. The Indian community were not slow to recognise this and as soon as possible organised a strenuous resistance to the attempts of the whites to place them in the back ground. The consequence was a long controversy which was unjustly ended by the Imperial Government in 1923 by the publication of the white paper of that year. This document reserved the highlands for the European farmers and thus relegated the Indian community to a position of permanent economic inferiority. It also placed the Indians on a separate electoral roll and reserved five seats for them on a legislative council consisting of about 37 members. Some very strange arguments were used against the Indians by white farmers during the course of this controversy. It was alleged that the influence of the Indians on the native population was unwholesome, that the political, economic and residential segregation of Indians was necessary in the interests of the native and the European populations, that it was the duty of Britain and the British to keep unalloyed for introduction amongst the natives what they called a Western Christian civilization, and that in order to maintain the predominance of the British element in politics and of British ideals in the development of the colony it was necessary to assign a status of political subordination and segregation to the Indians. All means of unscrupulous propaganda were used to vilify Indian culture and once when the colonial office contemplated placing Indians on a footing of equal citizenship with safeguards for the preservation of British interests and predominance of British ideals of administration through what has now come to be known as the Wood-Winterton Agreement, threats of open rebellion were freely used and some preparations were also made.

The Indian people of Kenya have always been willing to guarantee that during any period that could be visualised we shall not make use of our numbers to swamp the Council and attempt to Indianise the colony. With a view to this Indian leaders in Kenya have from the start advocated a specially restricted franchise now termed the "civilization franchise". Any adult who is able to read or write English or who has property of the value at least of £250 or who occupies premises of this value may possess a vote. This brings on the register about 15 p. c. of the present population of Indians. After about a generation probably the whole Indian population of Kenya may qualify itself for such a franchise. But in order to guarantee to the Europeans that we have no desire to Indianise the colony, the Indian Congress in East Africa has offered to accept reservation of first seats only for Indian members. The rest of the seats it is offered will be filled up by Europeans elected by constituencies composed of Indians and Europeans together, also including qualified natives, registered on a common roll.

A Round Table Conference discussed this basis first in 1921, but it was of no avail. Since the publication of the white paper of 1923 the Indian people have consistently refused to accept a position of political inferiority and have adhered to their demand of a civilization franchise. But the decision has been treated as a settled fact and till 1927 there seemed no possibility of getting the issue reopened. In 1924 a campaign of non-payment of poll tax was attempted but it ended in nothing and in 1925 the Government of Kenya offered to secure representation of Indians on the legislative council by Government nomination if the Indian community refused to make use of the communal electorate. This was accepted but in 1926 the present Governor of Kenya intimated to the Congress that from the beginning of 1927 when the term of the nominated members was to have ended, he would not continue the system of nominations. The community was alarmed and sought advice from the Government of India and some Indian leaders. They counselled acceptance of the communal electorate under protest and without prejudice to their demand for a common roll and common franchise. The Congress at Mombassa in 1926 therefore decided on this course and as the voters' list was not ready, asked the Government to extend the term of the nominated members for one year and to hold the elections in 1928 after the communal register of voters was prepared.

In the beginning of 1927 there seemed to be no prospect of securing a status of political equality in Kenya. Everybody including Indian leaders thought that the fight was over and that we have had the worst of it. The Governor of Kenya went to England in the spring of 1927 and expressed satisfaction that the Indian question was at an end. Had he stopped there and let a year or two pass, probably that would have come true. But thinking that the Indians would not reopen the question he pressed the Imperial Government to take steps to bring about a Federation of East African territories. In July 1927 the White Paper appointing the Commission and laying down its terms of reference was published. This white paper concluded with stating that no change would be made in the position assigned to Indians in 1923 but included in the terms of reference the questions of a further step towards constitutional advance in Kenya and the association of immigrant communities in the trusteeship of the natives.

The Indian community was seriously alarmed. The white paper of 1923 had laid down that the interests of the natives would be held paramount in Kenya and that the trusteeship would be exercised by the Government of Great Britain through the Government of Kenya and its officers. It had also definitely laid down that responsible Government was not to be thought of in Kenya within any period that could be visualised. Two years ago the Ormsby-Gore Commission had visited East Africa and had found that the territories were not ripe for a federation.

Up to now the Indian question was confined to Kenya alone but the strength and influence of the white people of Kenya were so great that it was felt on all hands that once united in a federation the spirit of Kenya would affect other territories and a serious menace to the interests and rights of the Indian community resident in other territories would come into existence. After great deliberation and some very anxious discussions, the Indian community of Kenya and of East Africa decided to oppose the idea of a federation of East African territories, to resist any constitutional advance in Kenya tending to place the white farmer oligarchy in a position of unhampered power and domination over the destinies of thousands of Indians and natives and to insist on the reservation of native affairs in the hands of the Government alone and in case it was recommended that the non-official European community should be associated in native trusteeship, to claim our share also in the interests of the native communities themselves. On the constructive side, in order to safeguard ourselves from future attacks on the Indian position it was also decided to reopen the question of the common roll and the common franchise. All bodies which were based on a communal principle of election and representation were vacated and a memorandum setting forth the Indian view point and position was drawn up and presented to the Hilton Young Commission.

The rally of the Indian community was very impressive and the white people made two attempts during the course of the last year to arrive at a settlement of the Indian question. The negotiations were broken off by themselves before they could take any shape. Their argument was that the guarantee offered did not constitute a sufficient safeguard and that the Indian community should expressly accept an unofficial elected European majority in the legislature of Kenya and a Western standard of life. While this express understanding was demanded from the Indians, the European negotiators refused to insert a safeguarding clause in the constitution that no racial legislation affecting the Indians would be enacted without the unanimous assent of the Indian elected members or without the previous sanction of the Secretary of State.

The last attempt at negotiations took place in August, 1928 after which the communities have drifted further apart. The sessions of both the Convention of Associations and the Congress held in the beginning of this year, the latter only about a month ago, continued the policy of the last year. While the door is open for further conversations and negotiations and the Indian community of Kenya are further prepared to make sacrifices, the general sense of the community is unanimous that there should be no compromise on the question of franchise. Recent interpellations in the Parliament have elicited the fact that the Cabinet of Mr. Baldwin has made up its mind about the question of the civilisation franchise. A Reuter's message dated the 20th April stated that according

to Mr. Amery the main basis of the franchise in Kenya could not be altered except with the consent of the whites, Indians and Africans. The fatuousness of this reply is obvious. The Indians demand that the present basis of the franchise be altered at once. They have demanded it ever since it came into existence. The Africans have been introduced here unexpectedly. They are not vocal and know that African native bodies not under missionary influence will welcome a change in the basis of the franchise. The white farmers of the highlands will not give any consent to an alteration. They have said so in their latest manifesto on the Hilton Young Report and threatened Government with vigorous action in case an attempt is made to force the report on them. But the Europeans of the coast and in the commercial world, the European consumer on whom the policy of white farmerdom presses heavily are tired of the farmers. Mombasa Europeans have already expressed dissent from the general policy of the Convention of Associations, and the European heads of some important Nairobi firms require only to be persuaded to put their signatures to a grant of the civilisation franchise to East Africa in substitution for the communal franchise at present in existence.

#### The report on the political issue.

The report of the Hilton Young Commission has not been unanimous on the Indian claim for the common franchise. The three members of the Commission have expressed the view that "inasmuch as the progress of the territory must depend on co-operation between the races, the ideal to be aimed at is a common roll on an equal franchise with no discrimination between the races." It is at the same time clear that this ideal can be realised only by consent and that the consent of the European community can only be obtained if they are given a feeling of security that their interests and institutions are not in danger of being overwhelmed by the mere numbers of the other communities. Such security cannot be provided on the basis of adult suffrage. The first step, therefore, would seem to be that before new franchise qualifications are fixed, the High Commissioner should institute a test census or some other form of enquiry to ascertain for each constituency the approximate number of persons of each racial community possessing the proposed qualifications.

The Chairman of the Commission differing from his colleagues in that "the ideal to be aimed at is a common roll on an equal franchise" states that he is unable to agree to this. According to him "The advantages of the communal system under the conditions are very great and I am unable to go further than the argument of the rest of the chapter, the effect of which is to leave things in this matter as they are for the present, and to trust to the future to evaluate the relative weight of the arguments stated for communal representation or a common roll and the effect upon the problem of reconciliation and of growing confidence and stability."

#### The Indian Attitude.

The Indian attitude in this respect may be once again stated. The community in Kenya is prepared to guarantee if guarantees can be given without loss of national prestige and self-respect and without any harm accruing to the highest ideals of Indian culture and civilization, that at no time in the future that can be visualised will there be any attempt on the part of the Indians to force Indian ideals of civilization or social life on the Europeans. The Indians of Kenya are also prepared to be represented by Europeans except in so far as seats reserved for Indian members of the legislature are concerned, which seats will be so reserved not because Indians want them to be so but because such reservation will constitute an effective guarantee to the Europeans from the Indians that the latter have no desire to dominate affairs in Kenya unduly and to the detriment of the former. After this it is the considered opinion of the Indian leaders of Kenya that the common roll and the common franchise are the only effective way to the development of a real Kenya citizenship and the economic and social progress of the territory.

There is another point in the background too. India has put forward a demand for dominion status. The corollary of this demand in the colonies is

naturally a demand for perfect political equality abroad. If we give a status inferior status in a crown colony, the natural conclusion is that thought satisfied in spite of our demands with a very much inferior status at home nor consent to accept an inferior status in the colonies, in other words to let the communal basis of representation will be both inconsistent with our political aspirations at home and insincere. Just as we ask for dominion status or independence in India, in the colonies we have to ask for complete political equality or for being represented like other independent nations by a consul.

It will be highly useful if the All-India Congress Committee recommend to the Congress in East Africa to carry on a fight for the achievement of perfect equality of status in East Africa as the only goal consistent with India's demand for dominion status at home and to do all that can be done in order to allay the fears of the European minority regarding the unalloyed preservation of their culture and civilization.

### Western Standards of Life.

But while guaranteeing the Europeans the integrity of their own culture and civilization our own culture and social life, of course in the best form, should also be safeguarded. I am not prepared to contemplate a position in which the 70,000 Indians of East Africa would be entirely Europeanised and lead European home and social life. The vague manner in which we have accepted Western standards of life in South Africa has raised grave suspicions in East Africa that for the sake of conciliating a minority of Europeans who are accorded a political influence out of all proportion to the number or interests, our own culture and civilization are also going to be bartered away. It is very necessary that these suspicions should also be laid at rest.

The Indian community of Kenya is, so far as I know, quite prepared to concede that the progress and development of the political, economic and civic life of the colony must take place on the most modern lines accepted by the civilised world of to-day and which are neither Western nor Eastern. It may be pointed out that the reorganization of all Eastern countries including India is proceeding along those lines and the Indians of Kenya have no interest in reproducing mediæval or heathenish conditions of life anywhere. At the same time there should be the fullest freedom for social life and religion so long as they do not outrage the moral sense of the community or principles of civic sanitation. The liberty of preaching religion and culture should also be guaranteed.

The European agitators of 1933 made much of the many social evils that exist among the Indian people and demanded that it was necessary to restrict Indian influence on the Africans to as narrow a field as possible. While most of the allegations were grossly exaggerated, I should consider it essential that the undesirable features of our social life in India should not be allowed to have any existence in the colonies. While we may claim that our prejudices and predilections should be respected or at least considered, it is our duty to respect the prejudices and predilections of other people living with us side by side. While there are Indians of a very high type in East Africa to associate with whom is a matter of privilege even for a first class European, the generality are still backward and hardly understand their civic and social responsibilities. To a certain extent it is essential that these should be compelled to adopt a certain specified standard of life and to that end we owe a duty to our European co-citizens of East Africa.

The Government of India, the Indian Princes and the Indian National Congress ought to tackle this problem at once unless they are all prepared to concede that Indians out of India should accept "in toto" a completely Western standard of life or vacate the territories in which they are at present settled. If we want that there should be no restriction on the immigration of Indians into East African territories, then we have to act here and now. We must educate intending emigrants into the rights and duties of colonial life. All the three, the Government of India, the Indian Princes and the Indian National Congress should cooperate actively in this respect.

to Mr. Amery -  
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### The Natives of East Africa.

this reply, special emphasis on this point because we are living side by side with be alter-mittative race of men—the African Natives. Their interests have been The in a paramount position all over East Africa and at any time their opinion regarding our usefulness in colonial life may be invoked and used against us. The policy of the East African Indian National Congress has always been to seek the goodwill of the natives and to be in close touch with them. That policy remains untouched and the demand for association in native trusteeship adumbrated in the Indian memorandum to the Hilton Young Commission did not arise from any conflict of views or interests but from the necessity of claiming it in view of its having been claimed by non-official Europeans and the great possibility of their having it. If the non-official Europeans are to be associated in the trusteeship of the natives with the Government, the pernicious influence of the former can only be counter-balanced by the Indians being similarly associated. The ideal condition of course will be that no immigrant non-official community should be associated with the Government in the matter and the Indian community have repeatedly demanded that native affairs should be reserved in the hands of the Imperial Government and that the official majority should be maintained for at least a generation in the constitution of Kenya.

Apart from being officially associated in or kept away from the trusteeship of the natives, a spirit of sympathy and co-operation with the natives ought to be developed and Indians should initiate and participate in all activities tending to the enrichment and betterment of native life.

### Administrative disabilities.

The concentration of the attention of the authorities of the colony on making Kenya a white colony has brought in its trail several glaring administrative disabilities, some of which will automatically disappear when the equality of the Indians with the Europeans is recognised while for the removal of others an effort will have to be made. Some of both varieties are mentioned below.

### No trial by Jury.

While the European subjects of His Majesty are entitled to be tried by a jury of their own countrymen, the same right has not been accorded to Indians. This has often resulted in miscarriage of justice. The request for the extension of this right to Indians has not yet met with a refusal. A stereotyped reply that the question is still under consideration has always been returned, the last being about the middle of 1928.

### Education.

The Government of Kenya run a Boys' High School in Nairobi, another in Mombasa and a Girls' School in Mombasa. The late Sheth Abdul Rasul Alladina Visram donated the splendid building now occupied by the Mombasa School and a school house for locating part of the institution at Nairobi has almost been completed at Government expense. In Mombasa, Nairobi, Nakuru, Naivasha, Eldoret, Kikuyu, Gilgil and some other places the Indian people resident there run their own schools either for boys or girls as the first need may be. There is a grant-in-aid code in force but most of the schools mentioned above excluding those at Naivasha and Nairobi have been waiting for grants for the last two years. The Nairobi and Mombasa schools are affiliated to the London University. There is no provision for collegiate education. A few teachers on the staff of these two institutions and a headmaster of a district school at Machakos are trained and hold Indian diplomas in training but the general standard of education is low and there are no local facilities for the training of teachers. The staff of privately managed schools leave much to be desired in the matter of staff and equipment.

It may be noted that the Government of Kenya levy an education cess of one pound per annum per every adult Indian male. Besides this every school boy has to pay fees for being educated and private schools are maintained from specially collected funds. Thus the Indian tax-payer has to bear a threefold burden. Even with bearing this facilities for the education of Indian

children are in no way adequate. The "per capita" expenditure for European boys is greater than that for Indian boys. Government institutions at Nairobi and Mombasa excluding the Girls' School at Mombasa are under European Principals and it seems that the Government have definitely adopted the policy of maintaining Europeans at the head of Indian schools.

The Congress session at Mombasa has passed a resolution requesting the Government of India to send out an Indian educational officer to East Africa to investigate the whole problem of Indian education in those parts and to make suggestions. If the All-India Congress Committee instruct Congress representatives on the Indian Legislative Assembly to press for this, a great service will be rendered to the Indians there.

#### Hospitals and Medical facilities.

There are no hospitals for Indians. European hospitals maintained by the state do not admit Indian patients who are generally treated in hospitals for Natives. Medical facilities are hopelessly inadequate.

#### Administrative Services.

Indians in the Civil Services are not allowed to rise to positions of trust and responsibility nor are Indians recruited to fill higher grades of the Colonial Civil Services.

#### Travelling on Railways.

Though there is no visible discrimination while travelling, Indians are always allotted separate compartments and the use of waiting rooms is not permitted.

#### Residential Segregation in Townships.

This was given up in 1923 but in practice Europeans and Indians are still segregated in different residential areas.

#### District and Township Boards.

Representation is not accorded to Indians in proportion to their numbers and interests.

#### Other Public Bodies.

The above is true with respect to several other Government bodies while in others no representation is accorded to Indians, particularly on boards relating to Railways, Land, Native Land Trust, Public Health, etc.

## The Hilton Young Commission Report.

It will be remembered that in 1923 (See Register 1923 Vol. 11) the British Government surrendered to the threats of rebellion of the white settlers in East Africa, withdrew the Wood-Winterton agreement and betrayed the cause of Indians there. Lord Delamere and his co-workers were however not satisfied with the gains then made; all this time they have been clamouring for a non-official majority in the Legislative Council and the formation of a Federation of Eastern Africa. The recommendations of the Hilton Young Commission gave them the beginning of a federation and a non-official majority.

The report of the Commission was issued on the 18th January 1929. It is a closely printed document of over 350 pages and while the main recommendations regarding Kenya are unanimous, there are additional sets of recommendations of the chairman regarding the Legislative Council of Kenya as well as on the Central African territories. The Commission consisted of the Rt. Hon. Sir Hilton Young (Chairman), Sir Reginald Mant, Sir George Schuster (Finance Member of the Government of India) and Mr. J. H. Oldham. The following is a summary of the report:—

In the report the Commission explained the governing ideas which had influenced their recommendations "vis-a-vis" the terms of reference. At the outset the Commission thought that there was need for a new conception of the relations of the Imperial Government to non-self-governing dependencies of the type found in Eastern and Central Africa. The Commission found that in the struggle between the various local communities, anxious to manage their own affairs, and the Imperial Government resisting the relaxation of a close control, it was possible to devise a form of Government which, while ensuring the Imperial direction of policy in essential matters, allowed room for the development of local Government.

The majority of the Commissioners agreed that responsible Government was out of the question within any period of time that need now be considered. A closer union of the territories of Eastern Africa under a Governor-General would, the Commission opined, act as a link between the local Governments and the Colonial Office and such Imperial control was expected to provide helpful guidance on the main lines of policy. The right to direct this policy was retained by the Imperial Government, not only because of its responsibilities for the native population in each separate territory, but also because of its wide interests throughout Africa in regard to which a consistent policy must be followed. As the whole population, native and non-native, must with the advance of civilisation and development of the territory, move steadily forward in the direction of increasing political responsibility, it was necessary, said the Commissioners, to look forward to the day when the immigrant communities and the natives would together control the whole business of Government. They added that white and black races could for a long time to come, possibly for all time, develop in the main with the greatest advantage to each along different lines. 'Our idea is that, while each pursues its own distinctive and natural line of development, they may be able to settle down together in a single state without fear of struggle for domination, provided there is available an impartial arbiter to decide the issues on which there is a conflict of racial interests. It can be the destiny of the Imperial Government to fill this role.'

Another guiding idea was that the territories of Eastern Africa could never be whitemen's countries in the sense that they could be populated and developed by a permanently settled self-sufficient white race, performing for itself all tasks of manual labour, but that they can constitute in the form of a settled area important outposts of British civilisation capable of doing great good. In the light of these guiding ideas the Commissioners made proposals answering to their terms of reference.

Firstly, they opined that the time was not yet ripe for any drastic or sudden change to secure more effective co-operation between the different Governments by means of a federation or closer union.

Co-ordination of policy was an essential need and, as the first step towards this the Commission recommended the appointment of a Governor-General for Eastern Africa to act as a personal link between the Secretary of State and the various local Governments and to hold the position, as it were, of a permanent chairman with full executive powers of a Standing Conference of the three Governments. But as an immediate preliminary step, it was proposed to appoint a High Commissioner in order to inaugurate enquiries and joint discussions on questions of native policy; secondly, to promote unified control of services of common interests and settle on a fair basis any immediate cause of difference; and, thirdly, to discuss locally and work out arrangements for introducing the modifications proposed in the Kenya constitution. The results of the preliminary enquiries should be reviewed by His Majesty's Government and, if then thought fit, the post of a Governor-General of Eastern Africa should be created. The plan included changes of organisation both in Africa and in London.

The Governor-General's powers will be particularly to direct the course of native policy and to supervise its working and he will work with advisory Councils in respect of general matters and of transport and customs.

The Commission next faced the question of the powers and composition of the various Legislative Councils. The recommendations involved no change because no subjects will be withdrawn from the purview of the local Legislatures, but the central authority will exercise powers of supervision. The only exception

was in Kenya, where, as a condition of the abolition of the official majority in the Legislative Council, powers were reserved to the central authority to ensure the passing of measures for certain purpose in order to enable him to veto the decision of the majority of the Council, especially to ensure inter-racial justice. As regards the composition of Legislative Councils, no change was recommended in those of Uganda and Tanganyika. In regard to the Kenya Council, the Commission as a whole recommended the appointment of four additional members nominated by the Governor to represent native interests, making with the member at present nominated for this purpose five such representatives, and a corresponding reduction of the present official members. This was intended as a first step in a progressive reduction in the proportion of official members in the Council to be undertaken in proportion as the main lines of imperial policy in regard to natives and non-natives become generally accepted.

Consideration was to be given to the replacement of adult franchise in Kenya by franchise depending on civilisation qualification. The nature of the tests to be imposed was a matter for enquiry by the High Commissioner in discussion with the Kenya Government and the representatives of unofficial communities. The changes which the new franchise qualifications would effect in the respective numbers of European and Indian voters should be made clear to the leaders of both the communities and the High Commissioner was to endeavour to induce them to come to an agreement on the question of election on a common roll.

Concurrently with the changes proposed in the composition of the Kenya Council the Governor-General was given special power to enact legislation and secure supplies which he would regard as essential for the discharge of his responsibilities contrary to the vote of the majority of that Council. The commissioners remarked that they advocated the raising of the franchise qualification in Kenya on the broad ground that the civilisation test was the best suited to the conditions in East Africa.

Discussing the Indian claim to a common franchise, the report observed : ' Inasmuch as the progress of the territory must depend on co-operation between the races, the ideal to be aimed at is a common roll on equal franchise with no discrimination between the races. It is at the same time clear that this ideal can be raised only by consent and that the consent of the European community can only be obtained if they are given a feeling of security that their interests are not in danger of being overwhelmed by the mere numbers of other communities. Such security cannot be provided on the basis of adult suffrage. The figures to be collected as a result of the High Commissioner's enquiry on the basis of civilisation qualification will be laid before the leaders of both the communities and a fresh attempt made to see whether an agreement can be reached in regard to the question. It may be that a revision of the franchise will not in itself effect a reconciliation of differences of view. Our hope is that our report may suggest fresh lines of approach to the political problems of Eastern Africa and that its recommendations may contribute to the growth of a spirit of co-operation, increasing the chances of a plan being devised which will do justice to the legitimate interests of both the communities.'

These observations are at the conclusion of the chapter relating to the Indian claim for common franchise. In the body, however, the view-point of the Indian community is explained. On this question the commissioners acknowledged the assistance given by Kunwar Maharaj Singh and Mr. Ewbank. The report stated : ' Indians do not claim representation in proportion to their numbers but effective representation of their interests and equality of political status. We understand that their main objection to the present system of communal representation is that, in their view, it conveys an implication that they are inferior to the white immigrants and is, therefore, galling to their self-respect. In order to remove this implication they were prepared to accept the proposal in the Wood-Winterton agreement report, to admit not more than one-tenth of their number to the franchise. In fact, they seek not political domination but a recognition of their right as British subjects to equality of treatment with other British subjects within the Empire. The European representatives did not base their opposition to the Indian claims on any narrow ground of racial prejudice. As the pioneers of



British civilisation, their ideal is to create a political unit in Kenya, modelled on British institutions and embodying British standards of efficiency in administration. They are not satisfied that if the initial limitation of the strength of the Asiatic vote is safeguarded, that can be permanently maintained.'

The commissioners observed that issues involving fundamental racial interests must be determined in the last resort, not by the voting strength in the Council, but by an impartial tribunal representing the Imperial Government. The chairman differed from the rest of his colleagues in regard to the composition of the Kenya Legislative Council and adhered to the view that the system of a common roll for European and Asiatic voters was ideally the best suited to the conditions of Kenya.

## E. A. Indian National Congress.

The eighth session of the East African Indian National Congress was held at Mombasa under the presidency of Pt. Hridaynath Kunzru. The following is the address delivered by the Pan it on the occasion :—

It will be observed from the brief summary that I have given of the most important recommendations of the Commission that they do not advance the position of the Indian community. It remains practically where it was. It is a distinct moral gain to the community that the Commission expresses its approval in principle of the Indian demand for a common electoral roll, and proposes that the High Commissioner should endeavour to induce the parties concerned to recognise that its acceptance will lay the foundation for the assured progress of Kenya in future. The value of such an attitude on the part of the Commission cannot be overlooked, but there is scarcely anything in its proposals which is of direct advantage to the Indian community. There is no suggestion in the report calculated to strengthen its influence or add to its power. Such proposals as have been made for increasing the political importance of non-natives apply to whites only. Even the question of the further alienation of land to immigrants in Kenya and Tanganyika has been considered only in relation to Europeans. From their own individual standpoint Indians cannot view the report with enthusiasm, but they have not failed on that account to express their strong appreciation of the main considerations which have guided the Commission's recommendations. They have declined to take a parochial view of the report. While criticizing individual recommendations, as citizens of East Africa, they have recognised the valuable service which the Commission has done by endorsing the principles of native trusteeship laid down in 1923 for the guidance of policy in East Africa. The maintenance of these principles should never have been in doubt but their authoritative reiteration by a Commission appointed in the circumstances I have already described will be a landmark in the history of East Africa.

### Reminiscent of the Threats of 1923.

In painful contrast with this is the attitude which the Kenya Europeans have adopted towards the report. They had represented to the Commission that 'Kenya is not prepared to enter into any federation scheme unless she is granted a step towards self-government,' and their failure to achieve their object has led them to advocate the complete rejection of the report. 'No progress is possible unless the Imperial Government repudiates the main report's fundamental conception regarding self-government in the future', they said in their strongly-worded protest cabled to London soon after the publication of the report. They have also repudiated as impracticable any attempt to mould political institutions in such a way as to admit of the direct participation of the natives in the central Government 'within any measurable period of time.' The Secretary of State was also reminded in language reminiscent

of the temper displayed in 1923 that 'by banging the door on any prospect of ultimate responsible government the report is sure to bring about more vigorous action on the part of the Colonists to assert their point of view and ambitions.' An influential organ of European opinion in Kenya expressed the view that 'any economic advantages which may appear attractive in a scheme for closer union should be subordinated definitely to the task establishing the future politically.' It would be unfair, however, to regard this as representing the point of view of all Europeans. Such an attitude has not found favour in several important quarters. In particular, it has been repudiated by the European opinion in Mombasa in spite of up-country influence.

#### 'Settlers' Rule.

As the persistent efforts of a small British community to gain control of the entire machinery of government is responsible in no small measure for the racial tension which had sprung up in Kenya and for its continued existence it is desirable to consider this matter a little more fully. It is not my intention to recapitulate the main arguments again against allowing a small fraction of the population to acquire unchecked ascendancy, which have been set forth with great cogency and lucidity in the report of the Commission. I shall try only to deal with the arguments which I know are urged to justify the ambition of the European community to be the source of all authority in Kenya. There should be no bar, it is urged, to the development of Kenya on lines on which other British Colonies have progressed. It is a slur on Britishers who are domiciled here to suppose that they are inferior in initiative, vigour, and capacity for government to British settlers elsewhere. The burden of proving that there are reasons for treating Europeans in Kenya differently from the self-governing communities in the British Empire is on those who want to keep them perpetually in official leading-strings. Those who argue in this way seem to me to forget the essential difference between Dominions like Canada and Australia and a colony like Kenya. Self-government in these Dominions implies the rule of a community over itself. But the withdrawal of Imperial control from Kenya will result, not in self government, but in the imposition of the rule of the British community over a large African population and over other immigrant communities, one of whom, the Indian, outnumbers it in the proportion of two to one. If there is to be no self rule, and the rule of one community over another is to be maintained, the arguments in favour of a change in the form of government all to the ground.

#### Analogy of South Africa.

In South Africa and Rhodesia the conditions appear on a superficial view to be similar to those prevailing here. But while in the former the proportions between whites to Africans is as 1 : 4 and in the latter as 1 : 20, in Kenya it is as 1 : 200. Again, as pointed out by the Commission, it remains to be seen whether the problem of the relation of the natives to the whites will be satisfactorily solved in Rhodesia. Another factor which differentiates Kenya from the other countries is the existence of immigrant communities much more numerous than the European community which cannot be ignored, from the cultural, political and economic point of view. Besides, the analogy of South Africa is not a happy one. Even those who quote the precedent of South Africa in their favour hesitate to avow that the inequality between whites and non-whites which is the basis of South African policy should form the foundation of the constitution in Kenya, and that the racial problems of South Africa should be reproduced here. In any case, what has happened in South Africa and Rhodesia is beyond our control, but we cannot agree that the example of these countries should be followed in Kenya.

Another ground put forward in favour of the demands of the whites is that their political predominance is the only means of ensuring the maintenance of western ideals and traditions. If this means that western institutions and forms of government should continue to prevail here, it is not at all clear why their existence should be supposed to be in danger unless the white settlers are granted responsible government. The methods and institutions which they

look upon the approval were evolved and established at a time when their population here was appreciably less. If these processes and agencies could be brought into existence by a Government uncontrolled by the local white community, it may be safely presumed that its resources will be sufficient to maintain them unimpaired here-after. Besides, the Indian community, from which alone danger may be supposed to threaten, has never entertained the ambition of making itself master of the country. It has never put forward and claimed to dominate a country which is primarily and almost wholly African. It has unreservedly accepted the doctrine of the paramountcy of native interests and has always insisted that there shall be no relaxation in the control exercised by the agents of the Imperial Government when conflicting interests are involved.

### Contract Theory

A third ground on which the grant of responsible government to whites is advocated is that it would lead to a more rapid development of the colony and the progress of its people. People whose interests are rooted in this land are likely to show greater energy in turning its resources to account than those who are only here as birds of passage. And if it be accepted, as it is, that the white settler by his presence in the colony brings civilising influences within the reach of Africans, his opportunities for enabling the African to lead a higher life should be expanded by making him responsible for the government of the country. I confess that I am no believer in the 'contact' theory. I find it hard to accept that self-interest is only another name for godliness. I hope I shall give no offence if I say that I rather agree with Prof. R. L. Buell when he confesses to the opinion in 'Native Problem in Africa' that 'those who attempt to justify the white settlement of East Africa on the ground of the benefits derived by the native from "contact" with whites are liable to commit the sin of hypocrisy.' He is of the view that, 'there is good reason to believe that the Negroes of West Africa and of Uganda will eventually go further in cultural and material progress than the Negroes of South Africa and United States, blessed though they may be by contact with Europeans. The history of these two countries shows that whatever benefits the white race may have conferred upon the blacks have been more than outweighed by the disabilities which the whites have imposed.' The Commission holds a different opinion on this subject, but it sees a real danger in making the settlers judges where their interests clash with those of others. 'Their interests,' says the Commission, 'may come into conflict with those of the natives in regard to land. They are, as a class, employers, and would arouse a deep and passionate resentment which will not be confined to this Colony dependent on the natives as a class for labour. They may have different interests in the incidence of taxation. They are not in a position to take the same detached view of questions in which their personal interests are involved.' That these fears are not imaginary is evident from the declaration of a leading settler that 'if the policy was to be that every native was to have control of sufficient land on which to establish himself, the problem of a sufficient labour supply would never be settled.'

### Sir Samuel Wilson's Mission.

The question of handing over control to the whites has been discussed impartially and exhaustively by the Commission. The grounds on which it finds itself compelled to regard responsible government, an elected European majority and an unofficial European majority, as being incompatible with the basic facts of the situation and the responsibilities of the Imperial Government are, to my mind, unanswerable. The Commission has, it is true, recommended the appointment of a High Commissioner to make enquiries into matters arising out of its recommendations, but his function has, as I have already pointed out, been defined by it. The suitability of the policy recommended by the Commission with regard to the native trusteeship and constitutional control is not to be brought under review by him. His Majesty's Government have not appointed a High Commissioner yet. They have, however, deputed the permanent Under-Secretary of State for the Colonies, Sir Samuel Wilson, 'to discuss the recommendations for the closer union of Kenya, Tanganyika and Uganda and

such possible modifications, as might appear desirable' with the object in view 'concerned with a view to finding a basis for general agreement.' An important section of the whites in Kenya has declared that it will not agree to closer union unless Kenya is thereby enabled to take a step towards self-government, and suggested a conference of official and unofficial representatives of Uganda, Kenya and Tanganyika under the chairmanship of a special commissioner to secure agreement. It appears as if this suggestion has been acted upon by the Imperial Government and it is feared that the question of the future constitutional status of Kenya may be reopened in order to arrive at an agreement with the Kenya whites. But such a course would be open to grave objection. The basis questions enquired into by the Commission should not form the subject of a fresh enquiry. To allow these matters to be reinvestigated by Sir Samuel Wilson would be tantamount to appointing another commission, consisting of one individual, to enquire again into matters already disposed of by the Closer Union Commission. His Majesty's Government have the undoubted right to reject the policy recommended by the Commission, or modify it in any way they like, but they should take such a step on their own responsibility.

#### Non-Official Majority.

— Although the Commission has given its verdict against responsible Government or any form of Government which has an inevitable tendency to develop in that direction, it has, as stated earlier, made proposals which will result in the creation of non-official majority in the Kenya Council. Four officials are to make room for four nominated non-natives 'who will represent native interests, and as the number of native representatives increases in future the official element will be correspondingly reduced. The members who are to represent natives will be chosen from among missionaries, unofficial Europeans and retired administrative officers who may decide or may be persuaded to remain in the country after the completion of their service. Thus while the White Paper of 1927 speaks of the association of immigrant communities in the trusteeship for natives, the Commission restricts such association to one community only. Apart from this, the proposal for a continuous replacement of officials by Europeans nominated to represent native interests has created considerable uneasiness both in the Indian community and in circles interested in East African affairs and in native welfare in England. The process envisaged by the Commission will sooner or later lead us to a stage when Europeans will be in a majority as compared with Indians and officials taken together. In Sir Edward Young's opinion, European representatives of native interests and elected Europeans will usually look at general questions not specially concerning natives from the same point of view, and may, therefore, be expected to act together. His forecast may safely be assumed to be correct, and when Indians cease to hold the balance between officials and non-official Europeans there will be no guarantee that their interests will receive due consideration. The Commission rejects the chairman's proposals as they would lead to a majority consisting of white settlers, but its own proposals lead in the same direction. Even so sympathetic and friendly a critic of the Commission as the "Manchester Guardian" referring to the risk involved in the chairman's suggestions, says, 'But whether there is not some danger of a similar result from their own proposals is a matter for anxious consideration.' All the arguments which the Commission urges against the chairman's scheme apply equally to its own. It is true that Government will always have in reserve the power of certification given to the Governor-General which will enable it to intervene effectively to protect racial interests; but even if it is exercised when Indian opinion calls for it, the scheme formulated by the Commission will create that very friction between the executive and the unofficial majority which it has throughout been the aim of the Commission to avoid.

#### Past Experience not Encouraging.

It is permissible to doubt whether the indirect representation of natives will be of much value to them. Past experience in this connection is not encouraging. This is recognised, I believe, by a section of Europeans in this country; and

...ent critics in England share this view. In view of this and of the dangers inherent in the Commission's proposals, prudence requires that the present system should be continued. Responsible Government having been declared to be out of the question, it is unwise to take steps which lead in that direction.

If in spite of the objections to the plan proposed by the Commission it is proceeded with, no further diminution should be made in the number of officials without giving an opportunity to the Indian community and the Government of India of considering the effect of such action on Indian interests. Further, Europeans should not be allowed the monopoly of representing natives. The East African Conference recently held in London under the presidency of Lord Meston suggested, I understand, that members to represent the natives should be nominated only after consultation with Native Councils, and that there ought to be no bar to such members being themselves natives. Local Indian opinion, as evidenced by the resolutions passed by the Kenya Central Indian Association recently, strongly support that view. If, however, the wishes of natives are not consulted in the selection of their representatives, Indians should be freely eligible to represent them. They will not be the less jealous in the discharge of their trusteeship than European settlers. Whatever may be said about the economic conflict between Indians and natives, their presence in East Africa has not created any of the problems which have followed in the wake of European settlement, and even their severest critics will not deny that they are much more free from race or colour prejudice than Europeans.

It must be pointed out in justice to the Commission that it expects that further steps in the process of replacing officials by nominated representatives of native interests will not be taken hastily, and that before the process is allowed to go far there will have grown up a greater realisation of community of interest between Indians and Europeans. The only hope of bringing about inter-racial harmony seems to me to lie in the adoption of a common electoral roll. Writing to the Secretary of State for India in 1920 the Government of India said: 'We desire to reiterate our opinion that there should be a common electoral roll and a common franchise on a reasonable property basis "plus" an educational test without racial discrimination, for all British subjects. We believe that this is the true solution of the East African problem. We fear that separate representation for the different communities will perpetuate and intensify racial antagonism. On the other hand, a common electorate, whereby a member of one community would represent constituents of another community, would tend to moderate and compose racial differences. In no other way, we believe, will the diverse races in East Africa become a united people.' The time that has elapsed since those observations were made has deepened their significance. Experience has shown them to have been almost prophetic. The Commission has considered the question of joint versus communal electorates at considerable length and has expressed its decided preference for equality of franchise between all races and a common electoral roll. It recommends the replacement of the adult franchise which is in force at present by what it calls the 'civilisation franchise' which is to be a combined educational and property qualification and which should apply equally to members of all races, and proposes that an effort be made to achieve what it calls the idea of a common roll by agreement between Europeans and Indians. It is clear it says that 'this ideal can only be realised by consent, and that the consent of the European community can only be obtained if they are given a feeling of security that their interests and institutions are not in danger of being overwhelmed by the mere numbers of other communities.'

It will be acknowledged on all hands that Indians have ever shown their readiness to assure Europeans that they do not wish to take advantage of their numerical superiority to Europeans. In the negotiations that took place in London in 1923 they agreed to what is known as the Wood-Winterton report in order to allay the fears of the European community. They consented to give up adult franchise and substitute for it a restricted franchise which would limit the Indian electorate to 10 per cent of the population. They also agreed to the scheme of representation suggested in that report which would have

given them about half the representation accorded to Europeans and to reservation of seats for members of the two communities in order to avoid inter-racial contests. In their evidence before the Commission they reiterated their willingness to accept the Wood-Winterton settlement with a slight modification and added: 'At the same time they are ready to agree to reasonable safeguards against any possible apprehension on the part of the European community that Indian members may at some future date dominate the Legislative Council.' They could not have displayed a more conciliatory spirit or gone further to assure the European community that they had no wish to overwhelm it by their numbers. It is not their fault that their proposals did not meet with the response which they deserved. The European community rejected the compromise on the ground that it gave the Europeans no guarantee against Indian predominance in future. But as the Commission points out, the communal system affords no better protection to Europeans, for demands for increased representation can be put forward by Indians under any system of election. Indians could not have made greater concessions to European fears; and I honestly feel that the European community has taken a heavy responsibility on itself by refusing to modify its attitude. Its action seems to be inexplicable unless the European candidate considers it derogatory to canvass the Indian voter. The matter at issue can be settled not by arguments but by a change of heart. If a better spirit were to prevail, the difficulties which block the way to an amicable understanding could be easily surmounted. If the Kenya Government interest themselves actively in the matter, the task of the peace-makers will be rendered considerably easier. They have a great opportunity before them of harmonising apparently conflicting interests and contributing powerfully to the bridging of the gulf which divides the two races. The Indian insistence on a common electoral roll is not due to blind obstinacy or a contentious spirit. It is based on a recognition of the vital interests of the entire community. Without the co-operation invited by the Indian community there can be no hope of a strong and united East Africa.

The question of closer union cannot be considered without reference to past events and the feeling they have engendered among Indians, particularly in Kenya. This feeling, as indicated by the evidence tendered by Indians in Uganda and Tanganyika, is one of alarm at the probable effect of proposals for federation. Tanganyika and Uganda Indians were afraid of the extension of the Kenya spirit to their countries and having to conform to the less liberal native policy of Kenya. The avowed aim of the Kenya whites to bring about a federation in order to strengthen their influence and further their policy lends colour to the apprehension that federation may lead to the domination of Tanganyika and Uganda by Kenya. The Commission looks forward to federation and ultimately to the unification of the three territories under a Governor-General. Indian and native interests alike require that such a development should be opposed.

Co-ordination of services of common interest stands on a different footing. Though the experience of Tanganyika in regard to such a co-ordination has not been a happy one, it was not opposed by Indians as evidenced by the memoranda they presented to the Commission. Economic development can be considered apart from political development.

The power proposed to be given to the Governor-General to co-ordinate native policy has an element of danger in it. If the pursuit of a uniform policy in all the three territories implies that Tanganyika and Uganda may have to follow the illiberal policy of Kenya, Indian opinion will be opposed to allowing the Governor-General to exercise any control over native policy in these colonies. The function of the Governor-General should be to humanise native policy in an increasing measure, and not to compel more enlightened dependencies to fall in line with a more backward territory. It should be clearly laid down that uniformity will be secured not by levelling down the policy of an administration which set a high aim before themselves but by asking the less advanced administration to follow their lead. It should also be provided that instructions concerned with native policy shall not be issued without previous consultation with the Advisory Council.

The Commission suggests that the Governor-General should act as the 'final arbiter' in all matters of racial conflict. It could scarcely have been intended that the Governor-General should have the power to arrive at final decisions uncontrolled by the Secretary of State. In fact the Commission states clearly that even when a federal legislature has been established the Secretary of State should not divest himself of his responsibilities for the protection of racial interests; but in view of the apprehensions created by the description of the Governor-General as the final authority on racial questions in more than one place in the Report, it should be provided that the members of the Advisory Council will have the fullest right to appeal to the Secretary of State against the Governor-General's decisions.

The Commission has recommended that the Governor-General's headquarters should not be in the same place as any of the existing Government head-quarters. Care should further be taken to see that the Governor-General does not live in the racial atmosphere of Kenya.

It is not necessary to discuss the other recommendations of the Commission in detail. Only two observations will suffice in regard to them. The Advisory Councils and other bodies that are set up in East Africa and London should contain an adequate representation of Indian interests, and Indians should be invited to attend the periodical conferences held in London for the discussion of questions relating to East Africa.

## The South African Indian Congress.

The 5th session of the South African Indian Congress was held at Durban on the 24TH JANUARY 1929. Several delegates from the Union Provinces attended the Conference. Besides the delegates, Mr. Srinivasa Sastri and Sir K. V. Reddi were present during most of the discussion. The peculiar thing of the Conference was that several officials of different Government departments which came up for discussion at the hands of the delegates watched the proceedings and addressed the gathering on their respective functions. Mr. Christopher, advocate of Durban presided.

Opening the Congress Mr. Sastri said that he wanted them to remember that for a long time in the future they could not afford to be dissociated from the Government of India. He urged them to say or do nothing, therefore, which might alienate the sympathies of that Government or which would make it difficult for them to continue that cordial co-operation they had hitherto enjoyed. "Above all, if there is political unrest in India and movements of disruptive character are taking on the attractive names of Independence and such-like, whatever your hearts may feel upon these occasions, I would ask you, my countrymen, to forbear, in your own interests; do not send across messages that you join in the cry for absolute Independence. That way lies your ruin. Once you assume such uncompromising hostility to the Indian Government you may not then with any justice, ask for their sympathy or assistance. You would then be thrown upon your own resources and you know by sad experience how little these will avail you in such difficulties as may assume formidable dimensions here. My advice is: 'Keep on the safe side'."

Sir Venkata Reddi cordially associated himself with everything Mr. Sastri had said. He urged them to use moderation in their debates.

Most of the resolutions which were passed referred to the grievances of the Indians in the country. The following resolutions pertaining to India be may read with interest. —

1. That this conference of the South African Indian Congress deplores the passing away of Lala Lajpat Rai, a patriot of India, and appreciates his many and invaluable services rendered in the cause of India and her children overseas.

2. That this Congress respectfully urges upon the Indian National Congress the necessity of placing its Overseas Department on a working basis so as to enable it to be of assistance to South African Indians.

3. That this Congress is of opinion that the present system of deck accommodation on steamships plying between India and Africa is unhealthy and not conducive to the moral and social uplift of the Indian community who very largely patronise these steamships and hereby recommends to the incoming executive to make such representations as may be necessary to the shipping authorities concerned to improve the accommodation now provided and to introduce 3rd class accommodation.

4. That this ninth session of the South African Congress records its profound sense of affection, gratitude and love to Mahatma Gandhi.

The topics on which most of the discussion of the Conference was centred round were those of the License and Repatriation. A resolution was passed to request the Union Government to revise the existing licensing laws of the different provinces and urging Mr. Sastri to inquire into the conditions of the repatriates to India. There was passed also a resolution appealing to the Ministers to grant administrative relief to the Indians affected by the Liquor Act.

## India And the Labour Party.

### The I. L. P. Conference.

The Annual Conference of the Independent Labour party was held at Carlisle on the 2nd April 1929 under the presidency of Mr. James Maxton who continued to be the Chairman for the fourth successive year. That was one of the notable decisions of the Conference this year. The reason for this was that during the sessional year many things of note had happened. First of all came the Maxton-Cook manifesto which looked a bolt from the blue that was likely to sunder the Labour movement. This was followed by official disapproval of their activities in the League against Imperialism of which Mr. Maxton became the Chairman. Then came the controversy in the "New Leader" by some of the I. L. P. M. Ps. who viewed with apprehension and consternation the new trend of the I. L. P. policy. Over and above this the programme and declarations of the I. L. P. on various subjects including India continued to be the target of derisive comments on the part of the same members of the Party.

In the course of his presidential speech Mr. Maxton directed his piercing lance against the Tory Government's colonial and Indian policy. Speaking about the duty of the future Labour Government, Mr. Maxton said:—"The Government that assumes the direction of affairs after the election has not merely the duty of solving the problems of this nation, but has control of the destiny of hundreds of millions of people in India, Africa and other parts of the world—men of all colours and all creeds. The biggest and most damning criticism of the Governments of the past is that after years of absolute power over subject peoples they have left India, for example, steeped in ignorance and poverty and subject to tyranny. Labour has the right not only to awaken hopes in the hearts of the British working-class, but of the peoples in the British Empire. We have the right and the duty to say to these people: You have lived under awful conditions in the past, we desire to make you free, to define your political and economic destinies. We have the right to say to all the nations of the world that whilst the past has been one long struggle between nations, the future is going to be one of co-operation. We want nothing more out of the world than other nations can have."

### Labour and the Commission.

The question of India was also raised in the Annual Report of the National Council which stated that the participation of the Labour Party on the Simon Commission had given the impression in India that the Labour Party was as Imperialist as the Conservative and Liberal Parties. Mrs. Hilda McNulty (London Central) asked whether the tendency of the Labour and Nationalist Movements



India towards Communism was a reaction to the attitude of the British Labour Party.

Mr. Fenner Brockway, replying for the National Council, said that there was no doubt that the majority of the politically alert opinion of India remained opposed to co-operation with the Simon Commission. In the India Parliaments only one-eighth of the elected members had voted in favour of the Commission, and the result of the Labour membership of that Commission had undoubtedly been to create the impression that the Labour Party was no less Imperialist than the Liberal and Tory Parties. The attitude of the I. L. P. in opposing Labour participation in the Simon Commission had done something to retain faith in the British Labour Movement. There was no doubt the tendency in the Indian Trade Union and political movements to turn towards Communism which was partly due to the attitude which official Labour in this country had taken to the Simon Commission.

### Resolution on India.

Later in the proceedings the following emergency resolution was moved by Mrs. McNulty on behalf of the London Central Branch :—

"This Conference condemns the intensification of the repressive measures in India, as evidenced by the recent arrests of many political, Trade Union, and youth leaders, some of them even without warrants. It declares that the subjection of the Indian people inevitably creates movements of revolt and that the method of suppression will only encourage violent outrages. It pledges the I. L. P. to work for the recognition of the right of self-determination for the Indian people, inclusive of the right for them to decide for themselves their relationship to the British Empire, and to support, in every possible way, the Indian Labour Movement to win economic freedom for the oppressed workers and peasants of India."

Mrs. McNulty drew attention to the fact that the programme of the Labour Party definitely declared for the extension of self-Government to India on the basis of dominion status, and recognised the right of India to self-determination. There was little hope, she said, that the Simon Commission would recommend in favour of complete self-Government. It would be the duty of the I. L. P. to insist, under such circumstances, that if a Labour Government was returned it should fulfil its programme, pledge and repudiate the report of the Simon Commission.

Mr. Fenner BROCKWAY, seconding the resolution, said that little would be heard about India at the General Election from any of the three Parties, but he prophesied that within a year, whatever Government was returned, it would have to concentrate a large part of its attention upon India. The Simon Commission would report in the autumn and if dominion status were not extended to India by the end of the year, the authorities would have to face the biggest revolt in India that had been witnessed since the Mutiny. He hoped it would be on non-violent lines, but under such conditions it was always difficult to restrain incidental acts of violence.

During the last few days 31 officials of the Trade Union and Youth Movement in India had been arrested on the charge of making war against the King. It was not possible to comment upon that charge until the case was heard, but it ought to be known that all of those who had been arrested were not Communists. He had received a telegram from Mr. R. Bakhale, Secretary of the Bombay Textile Workers' Union, giving particulars of Non-Communists who had been arrested. If there was a tendency towards revolutionary violence in India, it was due not to the propaganda of the Third International or the Communists, but to the political subjection and semi-starvation of the masses of the Indian people.

The arrests which had just taken place were incidents in a permanent persecution. There were men still in the prisons of India who had been arrested for political offences during the War, and there were others who had been arrested five years ago under an Act of 1856, who had never been charged or tried. The journey of the Simon Commission throughout India had been a procession of arrests, imprisonments and newspaper suppressions.

He associated himself with what Mrs. McNulty had said regarding the necessity of immediately extending self-Government to India, whatever the Simon Commission reported. Full dominion status should be applied, and the Indian Parliament, democratically elected, should have a complete right to decide what the future relationship of India to the British Empire should be. Only if this policy were adopted would Labour regain the confidence of the Indian people.

### **Resolution on War & Imperialism.**

Subsequently Mr. Fenner Brockway moved a resolution on behalf of the National Council on the subject of "War and Imperialism," which included the demand for immediate self-Government on the basis of dominion status, with the right of the Indian Parliament to self-determination.

An amendment was moved, recognising the right of India to national independence. Mr. J. Southall (Birmingham) said that India had as much right to independence as China or Egypt.

In reply, Mr. Brockway said that the I. L. P. recognised the right of India to independence and, if a democratically elected Parliament declared for independence, the I. L. P. would certainly support it. There was no doubt that the demand for independence was growing in India, but at the present time the All-Parties Conference had declared for dominion status, and the Indian National Congress was prepared to accept dominion status if it were granted this year. Under such circumstances, the most practical policy seemed to be to insist upon dominion status at once, but definitely to give the Indian Parliament the right to declare for independence if it so desires.

Mr. James (Watford) urged that India was not ready for self-Government.

After the Birmingham City amendment had been defeated, the resolution was carried by an overwhelming majority.

## **India and the Kellogg Pact.**

The Kellogg Multilateral Peace Treaty to outlaw war was the outgrowth of a suggestion made by Foreign Minister Briand that France and the United States enter into a convention to outlaw war. Senator Borah (Chairman of the Foreign Relations Committee) conceived the idea of expanding the bilateral anti-war pact into a multilateral peace treaty which would be offered to the leading Powers of the world for signature. Then Secretary Kellogg of the United States again amplified the proposal to include all the nations of the world—and thus an antiwar treaty was drawn up to condemn war as a measure of national policy.

In announcing Great Britain's acceptance of the treaty Foreign Secretary Chamberlain, reserved from its application certain areas which England considered vital as a measure of national defence. It was further suggested by the British Foreign Secretary that the British Dominions, the Irish Free State and India, become original parties.

Finally the treaty was signed by representatives of fifteen nations in Paris, and then laid formally before the American Senate in December 1928, being reported favourably on December 18th, and finally ratified by the Senate on January 15th, 1929, after a stormy session, in which the Opposition succeeded in its demand for an interpretative report by the Foreign Relations Committee.

### **Mrs. Sarojini Naidu's Protest on behalf of India.**

While the peace treaty was under consideration in the Senate a telegram from Mrs. Sarojini Naidu was read into the Congress records as follows :—

To

Hon'ble John J. Blaine (Senator from Wisconsin).

Washington, D. C.

"The issue you have raised in the course of the debate on the multilateral treaty with special reference to British reservations is of momentous importance to India.

"To accept such reservations in their entirety is to enjoin and assume responsibility for all arbitrary policies and actions which might conceivably work to the detriment of my people in their legitimate aspiration and endeavour to secure full national freedom.

"As an unofficial but duly accredited spokesman of my country, I question the claim of Lord Cushendon to commit India to any treaty in which her own representatives were neither included nor consulted.

"Though India has always upheld the high gospel of peace towards the recognition of which principle this pact in its original intention constituted an admirable gesture, she cannot be held bound in all circumstances to honour any vicarious pledges made in her behalf and without her consent which deprives her of a single national or international right, but she must reserve to herself complete independence of action in all its implications to establish and maintain her undeniable and inalienable birthright of political liberty."

(Signed) SAROJINI NAIDU,

Ex-President, Indian National Congress.

In the course of his speech on the Kellogg Pact Senator Blaine said :—

Mr. President, I desire as in open executive session to introduce a resolution relative to the Multilateral Peace Treaty. I ask that the resolution may be read by the clerk and thereafter be printed and lie on the desk and I shall bring it up at the appropriate time.

I also desire to state in relation to the resolution which I am offering in order to call it to the attention of the Senate, that paragraph 10 of the British note or the British reservation to the multilateral treaty is another article X of the Covenant of the League of Nations. What Great Britain did not get under the Covenant she now proposes to acquire by engrafting upon the multilateral treaty paragraph 10 of the British note.

If America adheres to the Peace Treaty, then we legalise Great Britain's dominions in all the world and we acknowledge that less than fifty million subjects of Great Britain shall have the right to rule over four hundred million people without their consent and against their protest. This proposed formula for peace stabilises the spoils of war obtained by the greatest empire of the world. It is a decided declaration of British policy. By the Kellogg Treaty America agrees to a decree quieting the title in the name of the British Empire to one fourth of the World's inhabitable area.

I cannot consent to a treaty which obligates America to recognise and respect the claim of any nation against the right of independence of other nations. Therefore, Mr. President, I offer the resolution and ask that it may be read.

The Presiding Officer : The Senator from Wisconsin as in open executive session asks unanimous consent to submit a resolution and that it be read. Without objection the clerk will read the resolution.

The Chief Clerk then read the resolution as follows :

Whereas in the exchange of diplomatic notes between the United States and Great Britain the British Secretary of State for Foreign Affairs (Chamberlain) in a note to the American Ambassador (Houghton) of date London May 19, 1928 in accepting the invitation of the United States to join in the Multilateral Treaty, as a condition in adhering to the said treaty stated ;

"The language of Article I, as to the renunciation of war as an instrument of National Policy, renders it desirable that I should remind your excellency that there are certain regions of the world the welfare and integrity of which constitute a special and vital interest for our peace and safety. His Majesty's Government have been at pains to make it clear in the past that interference with these regions cannot be suffered. Their protection against attack is to the British Empire a measure of self-defence. It must be clearly understood that His Majesty's Government in Great Britain accept the new treaty upon the distinct understanding that it does not prejudice their freedom of action in this respect....." And which condition and declaration is repeated in

the note of date London July 18, 1928 from the British Secretary of State for Foreign Affairs to the American Government.

Whereas said paragraph 10 of the British note is a unilateral condition upon the same subject matter and effecting in part the same purpose as does Art. X of the Covenant of the League of Nations.

Resolved that the Senate of the United States declares that in advising and consenting to the multilateral treaty, it does so with the understanding that said paragraph 10 of the British note shall not imply any admission of any reserve made in connection therewith.

The Secretary of State is requested to forward a copy of this resolution to the representatives of the other powers.

In the course of open debate Mr. Blaine asked :—

Let us assume a situation that might well occur. India having over 800,000,000 subjects, under the jurisdiction and sovereignty of the British Government, might assert her independence and the American Government might find itself in a situation whereby it would be to its advantage and that of civilization to take a certain course in connection with that assertion of independence by the people of India which would in effect border upon an act of war. Are we not by this treaty recognising that we have no right to do that : that we must first submit the case to some tribunal, some organisation for a specific settlement ; and are we not binding ourselves against any act in reference to the possible independence of the nations that are now under the British dominion ?

Mr. Borah : Mr. President, if the Indian Government should undertake to establish its independence, undoubtedly the British Government under this treaty would have a right to pursue such course as would retain the Indian Government under British dominion : and the United States would have no right whatever to interfere in the matter. She has not now any right to do so.

In the course of the same debate Mr. Blaine asked :—

Assuming that paragraph 10 of the British note had been the declared British policy prior to our American Revolution, could Lafayette have come to America under the circumstances that he did without having involved France in war with the British Government ?

Mr. Borah : Lafayette got to America by stealing away from the espionage of his king. Lafayette did not come here by the authority of the French Government or by authority of anybody that would be bound by a treaty. Lafayette stole away and came here in the first instance really as a fugitive from his Government, because his Government was not willing for him to come. So that the illustration is not, in my judgment, applicable because he was not representing any Government which would have been bound by a treaty.

Mr. Blaine : I associated Franklin with the acts of Lafayette. Franklin did not steal his way into France, and when he reached France he was not there regarded as a criminal nor a fugitive and France did certain acts—not only the French citizens, but, as well, the French Government—acts that to-day would be regarded as hostile acts ; acts that in my opinion would have involved France in war if paragraph 10 of the British note had then been the declared policy of the British Government.

Mr. Borah : In my opinion the treaty would not have any episode to the Franklin episode at all and very little to the Indian episode : because if India should undertake to establish her independence and should proceed to the point where she was sending representatives to other Governments and seeking to establish diplomatic relations with the other Governments, the Government of the United States under this treaty would have the right to exercise its discretion as to whether the time had arrived under international law when it could justly recognise that Government and receive its ambassador and this treaty would not have the slightest effect on it.

Following the ratification of the treaty a number of Senators and others gave statements to the press concerning the treaty, and among them was a statement from Mr. Sailendra N. Ghose, American representative of the Indian National Congress which was quoted in the "New York Times" on January 17th, 1929 as follows :—

"The Kellogg Pact is utterly repugnant to the cause of world freedom. Ostensibly it is clothed merely in the commendable desire to abolish war ; actually, the interpretations made by the British Government have transformed the Kellogg Pact into an instrument of war with which to hold many millions of people in dependent States in complete subjection. The people of India will never accept the English interpretation of treaty."

THE COUNCIL OF STATE  
The Legislative Assembly  
&  
Provincial Councils.  
Jan.—June 1929.

# The Council of State.

## Presidency Towns Insolvency Act Amendment Bill.

The session of the Council of State opened at New Delhi on the 12TH FEBRUARY 1929. The only legislative business transacted on this day was the introduction by Sir B. L. Mitter of the Presidency Towns Insolvency Act Amendment Bill, whereby the official assignee was sought to be given a period of one year instead of six months to declare and distribute the first dividend after adjudication, unless he satisfied the Court that there was sufficient reason for postponing the declaration to a later date. The Law Member explained that the time given under the present law was much too short and in practice had proved unworkable. No doubt the court could prolong the period, but that was a formality and the sooner the formality was done away with the better.

## Neglect of Waterways.

On the 13TH FEBRUARY the Council discussed two non-official resolutions.

Dr. Rama Rau moved the appointment of a committee of both Houses of the Central Legislature to examine the possibility and desirability of developing waterways in India as a means of transport of agriculture and other produce. The mover recalled that on September 14 1927, when he had moved a similar resolution on the subject, Mr. McWatters, on behalf of the Government, had told them that the Agricultural Commission might, perhaps, take them nearer to the millennium. The Commission, said Dr. Rama Rau, had come and gone. Their report was out and nothing was mentioned therein about the development of waterways in India as a means of transport of agricultural produce beyond the laconic statement that waterways were valuable and extensively used as a means of communication in north-western India and Burma. The report contained no hint as to the possibilities of their development. The terms of reference, perhaps, precluded the Commission from making any enquiries on the subject. Dr. Rama Rau admitted that the question of waterways was a provincial subject, but roads were also a local question and the Central Government did step in and appoint the Road Committee to find ways and means to supplement provincial finance and did everything to co-ordinate their activities. The Acworth Committee had also pointedly drawn attention to the necessity for the creation of an office in the Government of India, namely, the Member for Transport which did not consist merely of railways. Waterways had been neglected in the past. The railways had proved to be too costly, and he contended that even in these days with the development of motor transport and railways there was still a great field in India for the preservation and development of waterways.

The resolution was lost by 20 votes against 17.

## Steamer Services in Conjunction with Railways.

The discussion on the second resolution did not last long and the speeches by the mover and the opposer were brief and curt. Mr. Kumar Sankar Ray Choudhury urged the establishment of steamer services in conjunction with the State railway systems wherever feasible. The resolution on being put to the vote was negatived without a division.

## Repeal of Arms Act.

On the 18TH FEBRUARY Mr. Kumar Sankar Roy Choudhury moved that "the Indian Arms Act be repealed or brought into line with the law in force in England."

The speaker declared that no other nation in the world had imposed such a disadvantage over a conquered nation as the present Indian Arms Act, which was introduced in the country at the time of the Mutiny with the object of preserving law and order. The Act had emasculated the whole nation. Where, on the one hand, peaceful citizens had been refused permission to provide themselves with arms for the purpose of self-protection the Government had been unable, on the other, to prevent deadly weapons from being passed into the hands of dacoits.

Mr. Roy Choudhury contended that Indians, with their past civilisation, were certainly not more prone to violence than Englishmen. No reason existed why Indians should be refused arms, unless it was that the Government was for ign and could not trust the people.

Mr. G. S. KHAPARDE moved an amendment, the effect of which was that the Arms Act should not be repealed but brought into line with the law in force in England. He recalled a similar motion by him in the old Imperial Council, when the general opinion

seemed to be in favour of relaxing the present system and not entirely repealing the Act. Surely he said, the law should make it difficult for bad characters to possess arms? As it was, dishonest men, by their own means, secured possession of weapons, while deserving citizens got licenses to possess arms after a long time, if at all.

The amendment of Mr. Khaparde for bringing the Indian law into line with the English law was lost by ten votes against twenty-five.

The motion for repeal of the Arms Act was lost without a division.

#### Relief for Third Class Passengers.

Seth Govindas moved that from an early date, ordinary and eight-monthly return tickets at reduced rates be issued to third class passengers on all State Railways. He stressed the fact that India was a poor country. There were millions of people in the country who generally travelled by third class in trains. Generally these people undertook railway journeys owing to sheer necessity.

Seth Govindas furnished figures to prove that the income of third class railway traffic was eight times the income from all higher class traffic in India. The facilities given to the third class passengers were, in his opinion, far from satisfactory. A first class passenger got fourteen times the accommodation a third class passenger got and yet he paid only six times more than the third class passenger. In addition, the former was given sleeping accommodation which Railways in no other country afforded without an extra charge.

Sir Geoffrey Corbett, on behalf of the Government, opposed the resolution. He said that the eight-monthly tickets would be used again and again within the period and Railways would be cheated to a great extent. This abuse existed even in the first and second classes, but was not very common. Then there was the question of finance. The actual loss estimated in case 50 per cent. of the third class passengers availed themselves of this concession, amounted to 250 lakhs of rupees. It would not be made good by a corresponding increase due to the concession. Sir Geoffrey declared that the best form of concession to third class passengers was a general reduction in railway fares.

Seth Govindas, satisfied with the assurance, withdrew the resolution.

#### Betting at Races.

Dr. U. Rama Rau moved that betting at horse races within the jurisdiction of Local Administrations under the direct control of the Government of India be prohibited. He pointed out that though this resolution was restricted in its application only to Local Administrators under the direct control of the Government of India, it had a wide significance in that it dealt with the whole subject of betting and gambling at horse races throughout the country. Betting at races had become a growing evil sapping the morals of the people and undermining the wealth of the country.

Apart from making the entire Indian Nation physically and mentally weak and effete, it was a Western vice only very recently imported to India and had already caused untold sufferings in many happy homes. It led to many suicides, murders and crimes. It was high time, therefore, that Government intervened and put a stop to this vice. In England it had been estimated that people's wealth was drained annually to the extent of three million pounds on all forms of betting, out of which more than one half went into the pockets of book-makers for which they made no useful return of any sort. In England a large percentage of the money that passed through the betting ring remained in the country, but in India it was otherwise. Betting at races was, therefore, to his mind another variety of foreign exploitation to which India had long been a victim.

The resolution was lost without a division.

#### Railway Budget Presented.

On the 19TH FEBRUARY Sir Austen Hadow, Chief Commissioner of Railways presented the Railway Budget for the year 1929-30. Besides the financial aspect, his speech dealt more fully with technical matters. He said that the railway systems mainly responsible for improved earnings in the current year were the M. and S. M., the B. B. and C. I. and the G. I. P. Railways. They proposed to get during 1929-30, 146 broad gauge and 154 metre gauge new engines of which 257 will be of the new standard types, thereby indicating the value of standardization.

Speaking on the main connections, he said that the Karachi-Agra connection had been definitely given up for the present, while the Bombay-Sind connection might find a place in the programme before long.

He considered the results from the publicity propaganda very decidedly encouraging and mentioned that they were buying their own premises in London for the publicity bureau and were opening a similar bureau in New York, as there could be no doubt

regarding the value of foreign tourist traffic to India. Finally, Sir Austen claimed that the railway system was growing and the earnings were steadily increasing.

The Council showed enthusiasm when he announced reduction in coal freights and the fares of the third class passengers on the E. B. Railway, and his assurance to the Council at the conclusion of the address that the Railway Board would keep its eyes open for obtaining better results received loud cheers.

#### Presidency Towns Insolvency Act (Amendment) Bill.

Before the Council adjourned, it passed on the motion of Sir B. L. Mitter, Law Member, the Presidency Towns Insolvency Act Amendment Bill.

#### Discussion of Railway Budget.

On the 22ND FEBRUARY the Council held the general discussion on the Railway Budget and only 23 members were present.

Opening the discussion, Seth GOVINDAS declared that the budget was not at all a satisfactory one. Congratulations had been offered in the "other place" for the so-called increased earnings of the railways, but if they carefully examined the question from the financial point of view, they would find that the profit on capital had decreased by about half per cent, since 1924-25. Although the total mileage of railways had considerably increased in these four years, the percentage of profit this year was 5.39 as compared to 5.85 in 1924-25.

It was stated by the Government that the decrease was due to the reduction in third class fares effected during the current year. Seth Govindas questioned the truth of this statement and held that the reductions had been amply compensated for by increased traffic. Referring to the appointment of a new member to the Railway Board, the speaker held that Government were trying to kill two birds with one stone. They wanted to provide some one with an appointment and incidentally in order to disarm opposition in the legislature they had come out with the plea that the new member would look after the interests of the eight lakhs of labourers employed by the railway.

Sir Maneckjee DADABHOY congratulated the Railway Member and the Railway Board on the successful working of the railways, which had brought them a net profit of Rs. 11,50,00,000. Was there, he asked, any undertaking in any part of the world which could parallel the Indian Railway administration?

At the same time he questioned the wisdom of adding to the reserves, which now stood at 22 and half crores and feared that any further additions meant delay in a substantial reduction of rates and fares, which was so necessary in the interests of the people.

Sir Maneckjee appreciated the proposed reduction in coal freights, a belated reform which would be welcomed by commerce and industry. He pleaded for a reduction of third class fares and in this connection urged Government to fix by statute the limit to which the railway administration could raise rates and fares, as had been successfully done in Britain. Regarding the appointment of a fifth member to the Railway Board, Sir Maneckjee Dadabhoi implicitly accepted the statement of Sir George Rainy, who had urged it as necessary for the efficient working of the Railway Board, particularly for dealing with questions of labour. He thought it was foolish on the part of any member to object to this appointment on the score of an expenditure of Rs. 75,000 a year. He could not understand how for a paltry sum of Rs. 75,000 the legislature should object to an appointment decided upon by the Railway Board and the Government after due deliberation for handling labour questions.

Mr. Kumar Shanker RAY CHOUDHURY denied the need of appointing another member to the Railway Board, held that the coal purchase policy of the Government was without any principle, and doubted the wisdom and justice of the railways competing with private enterprise, chiefly Indian, by opening their own collieries.

Lala RAMSARANDAS congratulated the Railway authorities on the satisfactory budget they had presented. For the sake of efficiency he thought they ought not to grudge the appointment of an additional member to the Railway Board.

Referring to the loss of Rs. 1,80,00,000 strategic lines, the speaker suggested, that this item should be charged to the military budget so that the country might know how much more the Army Department was actually spending than was shown in the general budget. The railway reserve of over 20 crores was a reasonable figure and there it should stop. As for this year's profit of 10.71 lakhs he complained that sufficient funds had not been spent on the provision of facilities for the travelling public and quarters and prospects for the subordinate and menial staff.



Sr George RAINY, replying on the debate, thanked the various speakers for the kind words they had spoken about himself and the Railway Board. Even if according to Seth Govind Das the surplus had worked out at 5.85 per cent, he maintained it was a matter for congratulation. It was not right to assess income on the basis of the average return per mile because numerous new lines had been built which would take time to develop traffic and yield high returns. The speaker thanked the Council as a whole for its support to the Government proposal to appoint a fifth member and assured Mr. Kumar Shankar Roy that there was no sinecure post in the Railway Board.

Regarding the plea for a large reduction in third-class fares Sir George Rainy pointed out that this would be considered but was not yet possible when they had also to consider such other problems as improving the standard of life of the railway employees and the amenities of third-class travelling. The question of reserves would be considered by the committee inquiring into the working of the convention. Sir George assured Lala Ramsarandas that facilities for Seva Samitis already existed on the State managed railways and promised to inquire if they could be extended to the company managed railways.

The Council then adjourned till the 25th

#### Formation of a Karnatak Province

On the 25TH FEBRUARY Dr. U. Rama Rau moved his resolution urging the appointment of a committee consisting of two members elected by the elected members of the Central Legislature, two elected by the elected members of the Bombay Legislative Council and two similar representatives of the Madras Legislative Council with a non-official chairman and a finance expert as the secretary to inquire into and devise ways and means for the formation of a separate Karnataka province and submit its report before December 31 1929.

Dr. Rama Rau recalled the fact that a similar resolution was moved in the Council and that Government had opposed it on the ground that the resolution had no popular support and the matter was not discussed in the local Councils.

As for popular support Dr. Rama Rau stated that the committee of the All-Parties Conference recommended the formation of a separate Karnataka province and quoted the proceedings of a number of Karnataka conferences which had stressed this demand.

Further, Coorg, though a separate administration, was willing to be yoked to Karnataka. He pointed out that Karnataka was an undeveloped province and charged the Government with having neglected their language, culture, art and literature. He said that Karnataka had immense potentialities for economic development. He strongly recommended the formation of the districts of Belgaum, Dharwar, Bijapur, Karwar, Mangalore, Bellary, Coorg and Nigiria and the five outlying taluks of Kollegal, Hosur, Krishnagiri, Madakasira and Sholapur into a separate province.

The motion was rejected without a division.

#### Prohibition of Vegetable Ghee.

On the 27TH FEBRUARY the Council of State discussed Lala Ramsaran Das's resolution urging that the import into India of solidified vegetable oil, Vanaspati, and other similar products be entirely prohibited, unless they are given such a permanent and harmless colouring as may readily distinguish them from and render them unfit for a ready mixing without detection with natural and pure ghee. Lala Ramsaran Das also recommended that a prohibitive excise duty be levied on solidified vegetable oil, Vanaspati and other similar cheap products manufactured in India, unless they are also permanently coloured.

The mover declared that the producers of these articles were forcing on the people a most undesirable food. Vanaspati was an odourless and tasteless article and could not be detected if adulterated with pure ghee for sale. He gave instances of the Kashmir State which had entirely prohibited into its territory the entry of these articles, and other States like Kapurthala and Gwalior which had taken protective measures. He urged upon the Government to take the only step possible for retaining the strength and vitality of the Indian people whose principal diet was ghee.

The resolution was adopted without division.

#### Railway Central Advisory Council.

Dr. Rama Rau moved that the Central Advisory Council for Railways be reconstituted so as to give complete effect to the recommendations made by the Acworth Committee for a strong popular central railway advisory committee and at the same time to enable that council to co-ordinate its activities with those of the various local advisory committees and to guide their policy generally.

Sir Geoffrey Corbett explained that the present constitution of the Advisory Council was determined by the convention of the separation of audit and accounts scheme.

The matter, therefore, rested with the present advisory committee and after it had expressed its opinion the question could be raised in the Council. What Sir Geoffrey Corbett did not understand was why the mover should try to eliminate the privilege of the Council's representation in the committee which the adoption of the resolution would mean.

The resolution was withdrawn and the Council adjourned.

#### General Budget for 1929-30.

On the 28TH FEBRUARY the General Budget was presented by the Hon Mr. Burdon in a comprehensive statement clearly explaining its salient features. Giving his impression of it, the Finance Secretary said that there were no sensational ingredients in it. They were in a sense still making time. But, with this reservation, if the budget was accepted, it would, without increasing taxation, enable them to devote considerable sums of money to expenditure on measures relating to a fairly wide range of vital departments of the national life of the country. If one looked back over the past six years one could not fail to be struck by the great inherent strength exhibited in India's financial history of that period. 'If for the moment we appear to stand still, it is in the main because we feel reasonably confident because we wish to lay sound plans and await the favourable moment for a judicious and certain advance.'

Concluding, Mr. Burdon, amidst applause paid a tribute to the care and solicitude for the Indian interests which Sir George Schuster had brought to bear upon the preparation of his first budget, and felt sure that he might count upon the wholehearted assistance of the House in pursuing the aims which he had set before them.

#### Pice Post Card.

On the 4TH MARCH Mr. Ramaprasad Mukerji, moved a resolution in the Council of State urging reversion to the quarter-anna postcard. He said that post offices were started to render public service and not merely to make money.

The increased rates had resulted in smaller income as was evident from the figures of sale of postcards for the last five years. Before the rates were enhanced sales of postcards increased every year, but ever since the half-anna postcard was introduced not only had the normal increase been checked but the sale of postcards had decreased.

Mr. McWaters, on behalf of Government, stated that the financial position of the Central Government was not quite happy and a deficit budget was to be made good by drawing on the Reserve Fund. Was this the time to attempt to reduce the rate of postcards which would mean a drop of one crore in revenue? Any reduction in the rate of postcards without an alteration in the rate of letters would tend to make people resort to postcards only and that would mean large reduction in revenue.

The resolution was lost without a division.

#### Income-Tax Assessment.

A resolution was moved by Lala Ramsaran Das that assessment of income-tax on leased property be made on the actual income received and not on the supposed annual letting value and that in case income is realised by recourse to law the actual legal expenses incurred be allowed as extra deduction when assessing the tax.

Mr. Burdon, opposing the resolution, announced that he would circulate the first part of the resolution to Income-tax Commissioners. If they could satisfy themselves and Government that genuine cases of hardships could be proved without serious difficulties and without increasing the work of the income-tax department, and also without giving any occasion to further complaints from the public, then Government would consider the possibility of giving effect to it. As regards the second part of the resolution subject to a further detailed examination, the Finance Department would issue instructions that legal expenses be placed on the same footing as collection charges.

The resolution was by leave withdrawn and the Council adjourned till the 6th.

#### Discussion of Budget.

On the 6TH MARCH the Council of State discussed the Budget for 1928-29.

Sir Maneckjee DADABHOY regarded the budget as a tight fit budget prepared by a sagacious financier. He quoted Sir B. Blackett's speeches of the last two years to show that the financial position was intrinsically sound, forecasting prosperous years and asked Sir George Schuster what storm had occurred during the last twelve months to create misapprehensions as to the future and threaten increased taxation. As one who had during the last few years supported Government in taxing the country to the extent of fifty crores, Sir Maneckjee Dadabhoi warned Sir George Schuster against any increase in taxation and urged him to remember that the commercial community was still patiently suffering under the burden of the supertax imposed as a war-measure.

Speaking not as a Managing Governor of the Imperial Bank but as an industrialist and a large employer of labour, he characterised the policy of forcing the Imperial Bank to raise the rate to eight per cent. as disastrous. When Government, by demanding eight per cent. for money borrowed, forced the bank to raise its own rate of interest, the expression "bank rate" was a misnomer. It would be better described as a Government rate. The Government of India, being isolated from the commercial centres of Calcutta and Bombay, did not know those monetary markets of which the Managing Governors of the Bank were aware and as such they were better judges of the true position than Government.

The argument of expansion of currency against "ad hoc" security as well as against the import of gold a plea for putting up the bank rate was straining the language of section 20 of the Paper Currency Act, the object of which was to supply fiduciary expansion against trade and commercial bills only and not to maintain exchange or support balances with the Secretary of State. Already during the last few days there had been a decrease in trade demand to the extent of two crores and twenty lakhs and all business was at a standstill.

He made several suggestions for improving the lot of agriculturists. Government should study the system adopted in South Africa and Australia and devise means for the co-ordination of the activities of commercial banks with agricultural banks. They should also start land mortgage banks to enable the cultivators to obtain long term loans. Mortgage banks could be financed by Government and by commercial banks. The burden of income tax should be removed from co-operative banks as none of them were run for profit.

Government should also seriously consider the advisability of prohibiting the export of manual articles like oilseeds, should encourage cottage industries on a co-operative basis and should provide expert advice to enable the cultivator to utilise his spare time. "There should be active and combined co-operation of Government and the public for the improvement of the lot of agriculturists, otherwise the country will continue to be the land of wastes.

LALA RAMASARAN DAS mainly criticised the military policy of the Government of India. On paper the military budget stood at 55 crores because it did not include items like watch and ward on the Frontier and strategic railways which would bring up the figure to 62 and half crores. He urged more effective Indianisation of the Army and the abolition of the division into martial and non-martial for the purpose of recruitment.

Government should not resort to the system of taking short term loans which were ruining indigenous banking in the country and the rate of foreign telegrams should be restored to the former level.

The COMMANDER-IN-CHIEF acknowledged the appreciative reference made by several members regarding the military expenditure and stated that every endeavour was being made to reduce that expenditure wherever possible. The present figure stood at 55 crores. This included the expenditure for the Royal Air Force and the Royal Indian Marine. This aspect he had to emphasise because it was generally forgotten.

He also remarked that every one in the Army regarded himself as a citizen of the Empire and it was their earnest endeavour to keep the expenditure at as low a level as possible. They were anxious to retain the Army in just that state of efficiency which was required for the safety and well-being of the country internally and externally, so that every peaceful and law-abiding citizen might go about with his lawful avocation in peace and comfort. It would be easy for him to obtain cheap popularity by recommending a large reduction in expenditure on the military and air defences but his responsibility as the chief military adviser of Government was heavy.

As Sir M. Dadabhai had put it they had stabilised the military budget at 50 crores and, under the new arrangement with the Finance Department, any savings made would, subject to this limit of 50 crores, be carried over for the next year and not lapse. This would enable the Army Department to proceed with their programmes for improvement in several respects. For this he thanked Sir George Schuster.

He himself had appealed to several Army officers to save money to utilise it for buying a better type of horses, machine-guns, etc., and this was having the desired effect. When this process was further effected it would be found that the Army was really a paying game. Not one pie more was being asked for than was absolutely essential. Referring to the appeals made to him to bring the military expenditure down to 50 crores he said that the Inchaque Committee went into the question in 1922-23. They examined all parts of the budget and came to the definite conclusion that for the next year it should stand at 57 and three-fourth crores. It was a definite and reasoned

recommendation of the Committee, worked out scientifically upon detailed estimates, that the military budget should from 1924-25 stand at 57 crores.

The figure of 50 crores was suggested as a mere pious hope of the Committee provided there was a considerable drop in prices. As a matter of fact there had been no drop in prices since then. Recently the military budget was saddled with the Loe Commission's concessions and with increased charges for improvements in the services, besides the addition of two squadrons to the Royal Air Force. Despite these factors the military budget now stood at 50 crores. That was two crores less than the Inchcape Committee's definite and reasoned recommendation.

Sir William Birdwood gave a resume of the evacuations effected from Kabul by the Royal Air Force during the period of December 18 to February 26 last and emphasised that an important aspect of this historic achievement, culminating as it did in the withdrawal of the British Legation, was the practical demonstration to the world of their policy of scrupulous non-intervention in Afghanistan which Government had set steadily before them from the outset and had consistently maintained.

This operation of the Royal Air Force was a task of peace involving risks willingly undertaken for purely humanitarian purposes and carried out with the consent and co-operation of the Afghan authorities at a time when they were involved in a difficult and dangerous situation.

Our pilots went up to Kabul without a single weapon of any sort, not even pistols.

After explaining the three phases of the evacuation, the Commander-in-Chief pointed out that not only was a total of 586 souls evacuated by the Royal Air Force but they evacuated also their own pilots who had been unfortunately compelled to land. The British, French and Italian Legations were safely brought away and the numbers included 342 Indians, 57 Germans, 19 Turks, 25 Persians, 23 French, 23 British and 19 Italians. The nations concerned had tendered their grateful thanks for the care and help given to their Legations. Had it not been for the personality, insight, tact and diplomacy of Sir Francis Humphreys, these evacuations would hardly have taken place.

The Commander-in-Chief specially mentioned, amidst applause, the name of Sir Geoffrey Salmond, Air Vice-Marshal. He also paid a tribute to Group Captain Mills, Squadron-Leader Maxwell and several others.

The grand total journeys carried out by the Air Force on this great errand of mercy was 107 and they flew in all 33,930 miles, making a grand total of 57,430 miles, including the mileage flown by the Victorias on their return journey from Liaq to Risalpur.

Mr. Loknath MUKHERJI said that the Budget was devoid of any feature. It was stated that India's credit stood very high in the markets of the world, but she had to achieve that high credit by maintaining a high level of taxation and by inflation of currency. Military expenditure was responsible for 55 crores, which figure should be cut down by another two crores as suggested by the Inchcape Committee. The speaker urged for a more rapid Indianisation of the Army and the superior services.

Sir George GODFREY expressed the view that expenditure on railways should be adjusted to the revenue derived. The South Punjab Railway, if bought and run by the State, would yield better financial results. Referring to the bank rate at eight per cent he endorsed the remarks of Sir Maneckji Dadabhai and added that Sir George Schuster was unnecessarily cautious in forcing upon the Imperial Bank the present rate.

As regards military expenditure he congratulated both the Commander-in-Chief and the Finance Member on the arrangement to work out the mechanisation programme. He paid a tribute to the Royal Air Force on its splendid success in carrying out the evacuation of a large number of men and women from Kabul, and said here was a remarkable case of a branch of the Army being used on a mission of mercy. Fifteen years ago such an act of rescue would have meant despatch of troops and loss of life and money. But conditions had changed so much that the gallant officers of the Air Force had been able to carry out the evacuation absolutely unarmed and without losing even one life. Surely this was a strong argument for the mechanisation of the Army on modern lines.

Sir Manmohandas RAMJI mainly criticised the borrowing policy of the Government of India. He said that the non-recurring expenditure fluctuated from year to year and thereby upset the budget, and he therefore suggested that an inquiry be made and a certain sum for non-recurring expenditure be fixed beyond which Government would not sanction expenditure to launch new schemes.

They had there another aspect of the question : Government owing to their good credit had succeeded in raising loans of 300 crores during the last six years at low rates

of interest but in taking away that much money from the money market they had harmed the normal expansion of trade and commerce of the country.

How much more the trade and commerce and industry of India would have been developed, he asked, if that money had remained in the market? He did not deny the benefits of railways expansion, which was mostly responsible for the large borrowings by the Government but railways alone could not develop the country.

He held the development of railways, roads, waterways, commerce, trade, industries and agriculture should proceed hand in hand and the Finance Member should pause before sanctioning fresh expenditure or fresh borrowings. The system adopted in the present year by the Finance Member of financing projects out of surplus was a very wise one and should be continued. Two years was too short a period to judge the effects of the new ratio. They should now pause and watch the effects of the 18d. ratio for some years and see if it entailed any hardships on India. He personally did not believe the new ratio had done any harm to the country.

Sir J. P. THOMPSON (Chief Commissioner of Delhi), expressed thanks to the Government of India for the grant made to Delhi and appreciated the new change of policy. So far the Government of India had been lavishly spending money on New Delhi only; now they also thought of the needs of Old Delhi.

By the construction of a new joint hospital, by improving the drainage and by cleaning the slums they would be able to elevate the standard of life in Old Delhi and also strengthen the sanitary defences of New Delhi. He hoped the Finance Member would be able to guild his budget a little more next year and Delhi would be further benefited. The whole object was to make New Delhi a model city for India and make Old Delhi a mother worthy of her daughter.

Sir Dinsha WACHA said that it was India's good fortune that she had got two able financiers successively as Finance Ministers. Sir Basil's record was an epoch-making one and Sir George Schuster had begun his career well. He hoped the new Finance Member would profit by the several useful suggestions made during the discussion.

Even Mr Ramdas Pantulu was very reasonable to-day and had made valuable remarks regarding agricultural finance. This was indeed very important, for India's prosperity would tend to increase if agricultural banks were started in each province with guaranteed interests. In any case if they wanted further improvements they must be prepared to spend.

It was foolish to talk of clearing out the Britishers. India must be grateful for British rule.

Sir GEORGE SCHUSTER thanked the House for its courtesy and encouragement, particularly Sir Dinsha Wacha for expressing his sentiments in forceful language. They could not have beneficial measures without paying for them. Sir Maneckji Dababhy had drawn the speaker's attention to Sir Basil Blackett's expressions of hope of improved finances. He was sure if Sir Basil had been to-day in his place he would have taken exactly the same line as himself. He agreed with Sir Dinsha Wacha that Sir Basil really left the country in a far stronger financial condition than he had found it.

Sir Basil was able to do this on account of five years of good monsoons and he was carried forward on one of those waves of progress. But he left just at a time when the wave was spending its force and now there was a slight reaction setting in.

Proceeding, Sir George Schuster reviewed the salient points of the debate. He referred to his speech yesterday in the Assembly as a reply to the criticisms against the Budget made here to-day. He emphasised that eliminating the major artificial factors there was a steady decline in deficits. Regarding the criticisms against the imposition of any fresh taxation, Sir George alluded to the support received for the petrol tax which was meant for a beneficial purpose and said that the same spirit must animate the legislature should the need for fresh taxation arise at all, for after all they were going to spend all money for beneficial and constructive purposes.

As for agricultural finance referred to by Mr. Ramdas Pantulu the Finance Member hoped the banking inquiry would furnish light and he hoped to take advantage of his consultations with members of the House as well on the subject.

The Council adjourned till the 12th March.

### Tax on Loss in Income.

On the 12TH MARCH Lala Ramsaran Das moved a resolution recommending that if any person who is a regular moneylender stands surety for another person or lends money and incurs loss thereby such a loss should be allowed as a deduction when determining his income-tax.

Mr. Burdon, Finance Secretary, pointed out that the concession would be unreasonable. In general the principle of law provided what was being asked for. The law also provided for taxing of only income and there was no need to disturb the present arrangement. He opposed the resolution as it was impossible for the Government to accept it.

Major Akbar Khan supporting Lala Ramsaran Das said that there was a general desire for some reasonable reduction in the rate of income-tax. The demand was reasonable and there was no reason why the resolution should not be accepted and income made liable to taxation after taking into account all losses incurred.

The resolution was pressed to vote and lost by 15 votes to 12. The Council adjourned till March 18.

#### Sedition Trials by Jury.

On the 18TH MARCH Mr. Kumarshanker Ray Choudhury urged that steps be taken to have the criminal law so amended as to make trial by jury compulsory in cases of sedition. He contended that in England and other countries the law provided for trial by jury between the liberty of the people and the prerogative of the Crown. In the jury system people also had a share in the Government of the country. The administration of justice and liberty became valueless when the fountains of justice were poisonous.

He did not understand why cases under Section 124A I. P. C. were precluded from being tried by jury when other sections in that chapter were triable by jury.

Mr. H. G. HAIG, Home Secretary, opposing the motion, said the demand was based on an assertion that trial by jury was better than other kinds of trials. No doubt trial by jury was an English institution, but in India a decision by a jury was by no means final, as the high courts could upset and reverse that decision. That was not the English system. Trial by jury was introduced in India as an experimental procedure.

The motion was lost by 23 votes to 13.

#### Delegation to League.

Sir Pheroze Sethna moved "that a strong representation be made to the Secretary of State "in order that practical effect be given to the admitted principle that there is no bar to an Indian leading the Indian delegation to the League of Nations by appointing an Indian to lead this year's delegation."

If the real truth were to be told, said Sir Pheroze, the Government had been influenced in the matter by their bias in favour of Britishers. The real trouble was that they could no shake off the old prejudice that an Englishman, whoever he might be, was intrinsically superior to an Indian, however able and eminent the latter might be. The Government's decisions hitherto had been due to this prejudice. This feeling of racial prestige was difficult for "Imperial" people to overcome.

Sir Pheroze Sethna paid a tribute to the work of Sir Ramaswami Iyer and Sir Basanta Kumar Mullick who were substitute delegates in 1926 under the leadership of Sir William Vincent and did the bulk of the work done by the Indian delegation that year. Yet even these two members were not nominated to the committees whose work related to disarmament or to purely political questions. Almost every other nation felt the incongruity of the Indian delegation being led by a non-Indian and the delegates from the dominions, especially Ireland and Canada, held that view.

There could be no objection, said Sir Pheroze, to an Indian Prince leading the Indian delegation. India alone among the nations changed her delegates to the League practically every year but if Sir Ramaswami Iyer and Sir Basanta Kumar Mullick had attended the League for three or four years in succession, it would be impossible to pretend that anybody else could lead the delegation better.

Mr. L. GRAHAM, on behalf of the Government, said that in selecting a leader for the delegation to the coming session of the League of Nations the Government would make it their earnest endeavour to meet the wishes of the House

by securing the services of an Indian who might worthily uphold the high traditions which the previous leaders of delegations had established.

Proceeding, Mr. Graham said that the Government had been charged by Sir Pheroze Sethna with lack of continuity in the personnel of the delegation, but if he knew the difficulties the Government had to face every year in this matter he would not make the allegation. Sir K. V. Reddi, he added, had represented India very ably last year, but on account of his present position in South Africa he could not be selected for the delegation to the League this year. As for the allegation that Indians were deliberately kept out from particular committees of the League, Mr. Graham said that the statement was an insinuation which he, on behalf of the Government, most emphatically repudiated. He gave an instance where Indians had served on an important committee, but said that he wanted time to inquire into the question and it would have been best had the mover of the resolution given notice of it. He trusted that Sir Pheroze Sethna would withdraw his allegations.

Sir Pheroze Sethna, replying on the debate, congratulated the Government on the translation of their "lip sympathy" into proposed action. He was willing to withdraw his remarks about the want of continuity of personnel, but he suggested that during the next few years the Government should suggest to their nominees that they would be renominated and he felt there would be no lack of capable men coming forward to form the Indian delegation.

In the matter of his allegation that Indians had been purposely kept out of certain committees at Geneva, Sir Pheroze said he based his allegations on good authority and urged the Government to inquire into the matter. He withdrew his resolution.

#### Free Charkhas.

Seth GOVIND DAS next moved a resolution that Government should call the attention of the Central Provinces Government to the desirability of giving relief to famine-stricken people of the Northern districts of the Central Provinces by free distribution of charkhas and by opening depots in villages to enable villagers to buy cotton.

Proceeding the speaker said that their misfortunes started in 1926. Last year they had tried to persuade Government to promulgate provisions of the Famine Code in the Province and to remit land revenue but nothing tangible was done.

He regretted that the relief granted last year could not be taken advantage of fully by the people on account of their caste prejudices and he held that his proposal would meet their need.

The speaker then started detailing the advantages of the charkha. He held that a man could earn four annas a day through the spinning wheel. Here he was checked by the President, who asked him to confine himself to the subject matter of the resolution.

In conclusion, Seth Govind Das said that the charkha had been tried in Orissa and had proved a success and he felt that the measure proposed by him would not entail much expenditure but would mitigate the famine distress in his province.

Sir Mahomed HABIBULLAH opposing Mr. Govind Das' resolution stated that Government had watched and were still watching with deep concern the progress of distress in some districts of the Central Provinces. Last year famine was declared in three districts and appropriate measures were taken in hand. The local Government had anticipated that relief would not be needed after March this year but frost and a severe winter had changed the outlook. The extent of the distress was still being explored. The damage to crops, however, had been fairly considerable.

The local Government were taking measures in various directions. Scarcity this year had been declared in six districts and in those principally affected the suspended land revenue of last year had been entirely remitted to the extent of Rs. 14 lakhs. Tacavi loans were being liberally distributed while land revenue for the current year had been suspended to the extent of Rs. 28 and half lakhs. Special arrangements were being made for the distribution of seeds. Public

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works had been opened and Government forests were thrown open to villagers for grass and other minor forest produce.

Circumstances might arise but so far neither the necessity nor the suitability of accepting the proposal had yet been provided. He, however, promised to forward a copy of the debate to the Provincial Government.

Mr. Govind Das pressing the resolution for the acceptance of the House averred that the relief measures were not sufficient.

The resolution was rejected by an overwhelming majority. The Council then adjourned.

#### Tariff Act Amend. Bill.

On the 19TH MARCH on the motion of Sir Geoffrey Corbett, the Council of State passed the Indian Tariff Act (Amendment) Bill, which gave effect to the recommendations of the Tariff Board that a duty of 5 per cent. ad valorem be imposed on all classes of rubber, insulated wires and cables, and that the import duty on printing type be changed from 2 1-2 per cent. ad valorem to a specific duty of one anna per lb. The Council then adjourned.

#### Land Revenue Inquiry.

On the 20TH MARCH the Council of State discussed Sir Pheroze Sethna's resolution recommending an investigation into the system of land revenue in the different provinces of India.

SIR P. SETHNA moved the following resolution:—

"This Council recommends to the Governor-General in Council that a committee be appointed, consisting partly of elected members of the Indian legislature and partly of persons who may be considered to be well conversant with the subject, to investigate and report on,

- (1) The systems of land revenue in the different provinces of India.
- (2) Their economic effects upon the condition of the rural population in each province.
- (3) The changes and modifications that, in its opinion, should be made in those system with a view to promoting the economic welfare of the agricultural population; and
- (4) Any financial measures that might be adopted to make up for any loss, should the changes and modifications suggested by the Committee involve a loss in the existing revenues."

In moving the above resolution Sir Pheroze Sethna said:—"The issue is, what is the relation between the land revenue system of the province and the economic condition of the people? Is the poverty of the people and their low economic condition in any way and to any degree, directly or indirectly due to the land revenue system? Does the system operate so as to add to the burdens of the poor, to aggravate or increase their poverty? How does it operate, in particular, upon the small peasant proprietor?"

"Besides, the fundamental basis of property, like that of all other things, was being questioned and theories of socialism and communism, whether right or wrong, were being propagated. They went to the very root of the nature of the right to and the incidence of property. Safety only lay in reconsidering or revising the system and the institution in the light of sound thought and reforming and re-adjusting it.

SETH GOVIND DAS moved an amendment recommending instead that a central committee and provincial committees be appointed, consisting partly of elected members of the Indian and provincial legislatures, to investigate the question.

SIR MAHOMED HABIBULLAH opposed the resolution on behalf of Government.

No one, he said, could dispute Sir P. Sethna's thesis that land revenue, which concerned the bulk of the agricultural population, was a matter of great importance to Government and the people. The main question was whether the existing systems of land revenue oppressed the agricultural classes.

Voices: They do.



They had also to consider whether uniformity would be possible and practicable for all provinces. Settlements of land revenue were influenced by the prevailing systems of land tenure. A detail inquiry was periodically made in each temporarily settled district. No committee of inquiry could excel the solicitude and care with which settlement inquiries were conducted by settlement officers.

MAJOR AKBAR KHAN, supporting the resolution, complained that there was no uniformity of tenure in the country. Government demand was constantly on the increase while income-tax demanded a fixed sum irrespective of prosperous or lean years. The diversity of their land revenue systems rendered a central inquiry necessary. The Taxation Inquiry Committee was appointed to find fresh avenues for taxation and could not be regarded as a substitute for the proposed inquiry.

MR. RAMSARANDAS contested the Government's contention that the cultivator was not oppressed. Government had appointed the Royal Commission inspite of agriculture being a provincial subject. The elasticity claimed by Government had generally resulted in hardship to the poor cultivator.

The President at this stage put the amendment of Seth Govind Das to the vote. It was defeated without a division.

MR. G. S. KHAPARDE moved another amendment recommending a commission instead of a committee with adequate representation for landed interests. He accepted the principle of the resolution. The life of the present legislatures was about to expire and elected members of the Central Legislature nominated on the committee might find themselves ousted.

SIR UMAR HAYAT KHAN said that the question was not a provincial but an imperial one, as no Public Safety Bill could check an invasion of rural India by communism with the present system of land tenures in the land. Hundreds were going without food and famine conditions had made things worse. At the time of a fresh settlement, revenue officers sat in conclave and decided beforehand the amount of increase in the Government demand. Each assessment officer then made settlement accordingly with an eye on promotion.

MR. MILES IRVING, opposing the motion, said that the question bristled with constitutional difficulties. They always talked of provincial autonomy but they also did not mind proposing to take away a big slice from the provincial revenues. The suggestion of the Joint Parliamentary Committee regarding India's land revenue systems was only a pious wish. If the provisions and spirit of the Government of India Act was to be correctly interpreted, provincial subjects should not be dragged into the Central Legislature.

SIR PHEROZ SEHNA, replying, accepted the amendment of Mr. Khaparde. He was glad that Government had not challenged the main thesis of the resolution. The proposed commission should examine whether the permanent settlement should continue. The feeling in the country was that with the advance of self-government the permanent settlement would go. It was an all-India question and should be tackled by the Central Government. That was the only way by which village uplift was possible and by which recommendations of the Agricultural Commission could be carried out effectively. He trusted that if the resolution was carried Government would give effect to it.

SIR MOHAMED HABIBULLAH said that the resolution was impracticable owing to the complexity and magnitude of the problem. He doubted if the proposed commission would be able to deliver the goods even if they laboured for the whole of their lives.

The Punjab, the United Provinces and the Central Provinces had already codified their land revenue policy, while Bengal and Bihar and Orissa could not do so owing to permanent settlement. In other provinces also legislation was being enacted. He would consider if it was necessary to introduce legislation regarding the minor administrations in the Central Legislature.

Motion Defeated.

The House divided and the amendment of Mr. Khaparde was lost by 20 votes to 15.

The motion of Sir P. Sethna was rejected without a division.  
The Council of State then adjourned till 23rd.

#### Workmen's Compensation Act,

On the 23RD MARCH, on the motion of Mr. A. C. McWatters, the Council of State passed the Workmen's Compensation Act (1923). Mr. McWatters explained that the Bill, which had already been passed by the Assembly, sought to improve certain defects in the operation of the Workmen's Compensation Act, which was brought into force from July, 1924.

#### Debate on the Finance Bill.

After waiting for several days the Council of State re-assembled on the 30TH MARCH to dispose of the Finance Bill which was passed in the Assembly on the 28th with the Salt Tax restored to Rs. 1-4.

Mr. Burdon explained that there had been unusual delay with the Finance Bill in the Assembly. He, therefore, begged the President to suspend the Standing Orders so as to enable the Bill being taken up for consideration to-day, as otherwise the Bill would not become an Act in time. He asked the Council to co-operate with the Government and do their best to relieve Government and the general community from the very serious and undesirable consequences which would otherwise follow it. Eight members supported the suspension of the Standing Orders.

Sir Arthur Froom extended his commiseration to the Finance Member on the unenviable position in which he found himself. He agreed that Government must be supported in seeing that the Finance Bill was passed to-day. At the same time he asked whether the Government could not devise some means of preventing, in future, the want of consideration in the treatment of the Council of State that was now being shown by the fact that the Bill was placed and asked to be taken up for consideration on the same day.

The President said that this was the first time in his experience that he was being asked to suspend the Standing Orders. One of his principal duties was to give every facility to the course of business, whether official or un official, and in view of the cogent reasons advanced by the Finance Secretary, he agreed to suspend the Standing Orders.

Mr. Burdon thanked the Chair and the House for rising to the occasion in its traditional manner and explained the salient features of the Bill.

Mr. Kumar Sankar Roy Choudhury (Swarajist) opposed the Bill both on political and financial grounds. Politically he referred to the insult of the Simon Commission and the non-fulfilment of the Government pledges and the continued exploitation of India by the railway policy being one for the export of raw materials and the import of British products. He said that the British bureaucracy in India was only serving British interests. Incidentally he proposed that the personnel of the banking inquiry should consist only of members of Chambers of Commerce and banking interests and not industrialists.

Among the financial objections, he referred to the failure of Government to make India self-supporting in the matter of salt and sugar.

Concluding, he criticized the lack of Indianisation in the Army and argued that without self-Government, there would be no Indian army.

Sir Umar Hayat Khan said that there was no use keeping a mercenary army which would fail at a critical moment. He said that the present state of the army must be maintained.

After the Bill was taken into consideration, it was put clause by clause.

When the clause relating to motor duty was taken up for discussion Mr. Harper (non-official European from Burma) remarked that the Road Committee's proposals were timid. He suggested that the Government of India should consider the feasibility of financing the development of roads by a system of loans. In his opinion the difference in the share to the provinces from the Road Fund were unsatisfactory and inequitable.

## THE COUNCIL OF STATE

[NEW DELHI]

Sir Arthur Froom supported the Committee's proposals as embodied in the Bill and said that the small beginning now made would bring about an awakening in road development so essential for improving the lot of agriculturists.

Mr. Kumar Shankar Roy Choudhury remarked that Motor Companies were mainly for passenger traffic and not for transportation of goods from rural areas.

Major Akbar Khan referred to the Kohat disturbance and held that British rule was essential for holding the scales even between Hindus and Moslems.

Mr. Burdon, Finance Secretary, assured Mr. Harper that his suggestions would receive the careful consideration of the Government and will certainly be considered by the Conference that is to be held in summer. That Conference will consist of provincial ministers and the Standing Committee of the Legislature to be appointed for road development. The clause was passed.

The clause relating to postal and income-tax rates was passed without discussion.

Moving the third reading of the Finance Bill Mr. Burdon referred to the inconvenience caused to the Council by it being asked to take the Finance Bill into consideration the very day it was laid on the table of the House. This year, he said, the circumstances were exceptional.

He did not agree with Sir Arthur Froom that Government should have anticipated this contingency and provided against it. Government, he said, would certainly consider Sir Arthur Froom's suggestion for taking measures to prevent a similar situation arising again.

Mr. Narayan Prasad Asthana was the only non-official who spoke at the third reading of the Bill. He criticised the Government's policy with regard to the Indianisation of the Army.

As a representative of monied and landed classes he mentioned the heavy burden of super tax rates and disapproved of the harassment by income-tax officers.

He congratulated Mr. Burdon, on his appointment as Auditor-General.

The Finance Bill was passed amidst official cheers.

Sir M. Habibullah said he could not state definitely when the Government business (Public Safety Bill and Trades Disputes Bill) now before the Assembly will be ready for consideration by the Council of State.

The Council adjourned without fixing a date for its next meeting.

On the 11TH APRIL the only business transacted in the Council of State when it re-assembled for the last time was the discussion of the Trades Disputes Bill. The agenda however contained a large number of amendments to the Bill given notice of by non-officials.

### Assembly Bomb Outrage.

At the outset, the President, Sir Henry Moncreiff-Smith made a statement on the bomb outrage in the Assembly on Monday morning. He said that the Council would realise that, for obvious reasons, the occurrence at this stage could not be made the subject for discussion. He however felt convinced that all the members would join with him in placing on record their condemnation and deep abhorrence of the dastardly outrage committed in the other chamber. He was sure the House would desire to associate themselves with him in the expression of profound sympathy with the President and members of the Assembly, with the Government and particularly with those persons, members and others, who received injuries and in prayers for their speedy recovery. He would also on their behalf express their heart felt thankfulness that the casualties which resulted were slight compared with what might have been a tragedy of the first magnitude, and that by the grace of Providence the lives of their colleagues in the other House had been miraculously spared. (Applause.)

### Trades Disputes Bill.

Mr. S. LAL then moved the consideration of the Bill to make provision for the investigation and settlement of trade disputes and for certain other purposes as passed by the Assembly. The Bill, he declared, was a matter of some importance. He realised the grave responsibility which had unexpectedly fallen upon him in the absence of Mr. McWatters, Industries Secretary.

The question of such legislation was first taken in 1919; but after hearing from the local Governments that legislation would not be effective, the Government of India dropped it. The succeeding years however saw a distinct change in the position by reason of the growth of organisations of industrial workers and the increasing influence exercised by public opinion on the course of disputes. And in 1924, the Government prepared a draft bill for enabling investigation and settlement of trade disputes. As the result of the inquiries and experience which had become available since that period, the Government were satisfied that legislation for the prevention and settlement of trade disputes was likely to prove of considerable value and the present bill had been prepared for this purpose.

Proceeding, Mr. Lal stated that the seriousness of the situation with regard to the industrial unrest was brought home last year when grave industrial disorders overtook the country. The general strike in Bombay alone caused loss of no less than 21 million rupees. Mr. Lal agreed that no legislation could put an end to industrial disputes, but he assured the Council that the Bill would make some contribution towards industrial peace.

Mr. Lal explained the main part of the Bill which he said, fell into three parts. Clause 3 to 14 related to the establishment of a tribunal for the investigation and settlement of trade disputes. This part of the Bill was based generally on the British Industrial Courts Act of 1919. The main difference was that, whereas the British Act set up a standing Industrial court, the Conciliation Boards which the Bill proposed to establish were intended to be appointed *ad hoc* like courts of inquiry in order to deal with particular disputes.

Continuing, Mr. Lal said that neither party would be under any obligation to accept the findings of the court or the advice of the Board; and in cases where a dispute was not brought to an end during the deliberations of the tribunal, reliance would be placed on the force of public opinion, which would be enabled, by the publication of the report of the tribunal, to arrive at just conclusions on the merits of the dispute.

The second part of the Bill, Mr. Lal declared, consisted of Clause 15, which related to public utility services. The clause made it a penal offence for workers employed on monthly wages in public utility services to strike without previous notice, and also provided heavier penalties for persons abetting such an offence. The clause was based on the principle that persons whose work was vital to the welfare of the community generally should not be entitled to enter into a strike before sufficient time had been given to examine the merits of their grievances and explore the possibilities of arriving at a peaceful settlement.

Clauses 18 to 20 contained certain special provisions relating to illegal strikes and lock-outs. These clauses followed closely the provisions of the British Trade Disputes and Trade Unions Act of 1927. They were applicable only in case of strikes and lock-outs which satisfied two conditions. In the first place, the strike or lock-out must have other objects than the mere furtherance of a trade dispute within the industry to which the strikers or employers belonged. In the second place, the strike or lock-out should be designed to coerce the Government either directly or by inflicting hardship on the community. Mr. Lal emphasised that the Bill contained nothing that would retard the growth of Trade Unions in the country. It had simply been prompted by economic considerations. He was sure the suspicions which existed in the minds of Labour leaders would soon fade away.

#### Swarajist Opposition.

Mr. Kumar Shanker Roy Choudhury opposed the motion. He declared that the Bill had a political purpose behind it, and wanted to kill the Trade Union movement in India. The proposed legislation would be particularly injurious to labourers. He contended that there could be no comparison between England where trade unions were highly organised bodies, and India where the organisations were weak and labourers illiterate.

Mr. Lal's motion for consideration of the Bill, when put to vote, was adopted without division.

## Amendments Rejected.

Mr. Kumar Shankar Roy Chowdhury moved a number of minor amendments which were rejected.

All the 31 amendments to the Trades Disputes Bill tabled by Mr. Kumar Sanker Roy Chowdhury having been rejected in half an hour, the Council next disposed of the amendment of Mr. Ramsaran Das in favour of picketing being made penal. The mover said no Trade Disputes Bill could be complete without his amendment being accepted by the Government. He quoted the publication of the International Labour Office in his support.

Sir B. N. Mitra, replying, said that the object of the mover was to make peaceful picketing a penal offence in the country. Sir B. N. Mitra said the suggestion first emanated from the Bombay Government during the Select Committee stage of the Bill, and the Government of India felt that it required further examination. For instance, they felt that, in a matter like that, the opinion of the Local Governments should be elicited before taking any action. Sir B. N. Mitra stated that the subject was under the earnest consideration of the Government, and if they felt that the clause should be inserted in the Bill, they would bring in an amending bill.

The Council rejected the amendment without a division, and passed the Bill as amended by the Assembly.

## Message From Viceroy.

The President next read a message from the Viceroy requiring the attendance of the Council members on the next day in the Legislative Assembly Chamber, when His Excellency would address both the Houses of the Central Legislature.

The Council was then adjourned "sine die."

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## The Legislative Assembly

OPENING DAY—28th JANUARY 1920.

The winter session of the Legislative Assembly met in New Delhi on the 28th JANUARY 1929 at 11 in the morning. The public galleries were packed to its utmost capacity and the House was also almost full. All party leaders including Pandit Motilal Nehru, Pandit Madan Mohan Malaviya, Sir Purushottamdas Thakurdas and Mr. Jayakar and Government members including Sir B. L. Mitter, Sir George Schuster, Sir Mohamed Habibullah, Sir George Rainey and Sir Bhupendra Nath Mitra were present.

Mr. V. J. Patel, President, arrived at 11 and took his seat in the chair placed on the right side of the presidential chair. His Excellency the Viceroy arrived at 11.5 and took his seat in the presidential chair. Opening the Assembly, His Excellency the Viceroy delivered the following address :—

### The Viceroy's Opening Speech.

Mr. President and Gentlemen,—When I appointed this date for the beginning of your session, my intention was to appoint the same date for the beginning of the session of the Council of State in order that I might be able to-day to address both the chambers. It was however pointed out to me in the Delhi session mainly owing to the fact that the Council of State has no part in the voting of supply, the burden of work which falls on the members of the Council of State is considerably lighter than that which falls upon the Assembly and that it would not therefore be convenient to summon the two chambers to begin their labours simultaneously. I have, therefore, been constrained on this occasion to confine my address to members of this chamber.

### KING'S ILLNESS.

For the past two months, we have all laboured under the burden of a grave anxiety owing to the prolonged illness of the King Emperor but by the Mercy of Providence recent news shows that His Majesty's progress has been steadily maintained and we may now reasonably hope that he is on the highway to complete recovery. The universal sympathy that has gone out to the Royal House and particularly to Her Majesty the Queen during these dark days has shown in striking fashion how securely King George the Fifth by devotion to duty and personal thought for all his people has enthroned himself in their hearts. They will continue to pray that for many years. He may be spared to rule over them and guide their destinies.

LALA LAJPAT RAI AND S. R. DAS.

In the interval that has elapsed since your last session, India has lost two notable sons, the one a Member of my Council and the other a prominent member of this Assembly. Though they differed in much, they resembled one another in the extent to attract to themselves the affection of many outside the circle of their political associates. Of Mr. S. R. Das, I can speak from the close personal knowledge that came from our work together and which gave me ample opportunity of observing the high and selfless principles by which his life was guided. A firm friend and a wise counsellor, his death is to me a great personal loss. The loss of Lala Lajpat Rai I can only speak from the standpoint of a far less intimate relationship. It fell to him to play a prominent part in the political life of his country. But there were qualities in him that led many who dissented most sharply from his political opinions to forget much of their dissent in a genuine appreciation of a very human personality.

## ASSEMBLY SECRETARIAT

The hon'ble members will recollect that after a conference of leaders in this House last September, a resolution was passed recommending the setting up of a separate establishment for dealing with the business of this Assembly. That resolution was of the nature of a compromise which while not going so far as your President desire went rather further than proposals which my Government had already submitted to the Secretary of State. Having regard to the support which the resolution received from all quarters of the House, my Government decided to accept it with certain additions which were imposed by the fact that this House had invited the Governor General to take the new Department into his portfolio. It was understood that in so doing it was the general wish of the House in conformity with the standing orders that the administration of this department by the Governor-General should be deemed to be non-controversial. That being so, it appeared desirable that the Governor General in the administration of the department should be clearly placed in a position where no controversy could arise. For this reason, we have amplified the scheme of the resolution by providing for a recourse to the Public Service Commission in all cases in which the exercise by the Governor-General of his powers as Head of the department might at any time bring him into conflict with the President or with the Assembly. The same protection has also for equally good reasons been conferred with his consent on the President. The drafting of statutory rules to regulate the conditions of service in the new department now set up will necessarily take time but good progress has already been made in this task. Meanwhile the Secretary of State has given his consent to the introduction of the scheme on a temporary basis. As the member-in-charge of the new department, I would ask the House to be indulgent while the department is in its infancy and not to expect it to attain its maximum degree of efficiency from the first day of its inauguration. There are indeed still some gaps in its completion but with a view to reducing these inconveniences, the Legislative Department has made a temporary loan of the services of some of its members while the President is looking for suitable recruits. The New department, I hope, starts with the goodwill of all sections of the House and though as I have said the conclusion reached does not represent all that the president or perhaps some sections of the House would have desired, I think we may nevertheless generally congratulate ourselves upon the outcome of our discussion.

## AFGHANISTAN.

In external affairs everything has been dwarfed by the upheaval in Afghanistan of the drama that has unfolded itself during the last few months. In Afghanistan I shall say nothing save this that the policy of the Government is and has throughout been one of scrupulous non-intervention and it is our earnest hope that there may be an early restoration of peace and order throughout the length and breadth of that country and that India may again have on her north-western border a peaceful strong united country for her neighbour. During this critical time, we in India could not but be proud of the gallant bearing of the British Legation, of the firm control of our tribes by the Frontier Administration and of the R. A. F. over the evacuation of women and children from Kabul.

## SOUTH AFRICA

In South Africa our first Agent Mr. Sastri to-day relinquishes the charge of his office and starts on his return voyage to India. By his services to his compatriots in South Africa and to the promotion of friendly relations between India and the Union he has secured a high place for himself in the history of the two countries as a successful ambassador of India and has laid India under a great debt of gratitude. He has left a high standard of statesmanship for his successor to maintain, but I am sure that Sir K. V. Reddi carries with him to his new duties the confidence and good wishes of this House not less than those of the Government of India.

## EAST AFRICA

The House is aware that last year His Majesty's Government appointed a Commission to report on the future policy in regard to Eastern Africa. The

report has just been published and will require mature consideration. My Government, however, is fully alive to the importance to Indian interests of the decisions which His Majesty's Government have agreed that before any decision is taken, they will give the fullest consideration to the view of the Government of India on all matters affecting India. The Governor of Kenya moreover for the purpose of discussion on the report has with the approval of the Secretary of State for the Colonies offered to appoint temporarily to the public service in Kenya with a seat on the Executive Council an officer of the Indian Civil Service who will be nominated by myself in order to ascertain the judgment of the enlightened public opinion on these matters. I have asked the Hon'ble Sir Sir Muhammad Habibullah to convene the Emigration Committee of the two houses of the Indian Legislature at the earliest possible date during this session with the purpose of eliciting their views and practical suggestions. I do not doubt that my Government will derive great value from these discussions.

#### AGRICULTURAL REPORT

Since I last addressed the House the report of the Royal Commission on Agriculture in India has been published and as the Hon'ble members know, a conference of the provincial representatives assembled in Simla last October to discuss the more important proposals contained in it. The deliberations of the conference revealed a unanimous desire for progress and though time is doubtless required for action over so wide a field, the fact that public attention has been thus focussed upon this important branch of national activity will bring real encouragement to all who have imagination to see what it means in the life of India. The bulk of the work on the Commission's recommendations must under the existing constitution fall to the provinces but for sometime the responsibility rests primarily on the Government of India. Of these the most important concerns the establishment of a Central Organisation for research purpose and this proposal after discussion with provincial representatives my Government have decided to adopt. The duties of the new Council of Agricultural Research will be to promote, guide and co-ordinate research throughout India, to train research workers by means of scholarships and to collect and make available information on research and on agricultural and veterinary matters.

Generally as to the structure of this body, we propose to modify in some respect the recommendations on the Royal Commission. Our proposal is that its chief component parts should be firstly a Governing Body, the principal executive organ of the Council, presided over by the Member of the Governor-General's Council in charge of Agriculture and comprising 17 other members of whom two will be chosen from the Legislative Assembly and one from the Council of State and nine will be nominated by the Government of the nine major provinces and secondly, an Advisory Council of 30 members whose function will be to give expert advice to the Governing Body and submit for its approval programmes of research enquiry. In addition to these two bodies it is hoped that the major provinces will establish committee to work in close co-operation with them. As regards finance we propose to substitute for a lump grant of Rs. 50 lakhs which the Commission favoured, a lump grant of Rs. 25 lakhs to be paid in instalments supplemented by annual recurring grants of Rs. 7.25 lakhs. These sums will vest in the Governing Body who will consider all proposals for research expenditure and allot funds to meet it. It is my sincere hope that the organisation which I have outlined will receive whole-hearted support from this House and will before long start into its labours which will surely be to the lasting benefit of India's agricultural millions.

#### FOUR STONE PILLARS.

The House will be glad to learn that a general offer has been made by the former dominions of Canada, Australia, South Africa and New Zealand to present to the capital of India four stone pillars on the model of the famous Asoka columns. My Government have gratefully accepted this gift which will fittingly symbolise the common loyalty of the Empire to the person and the throne of His Majesty the King-Emperor.



## LABOUR TROUBLES.

The past year has been marked by a series of labour troubles which we have all witnessed with deep concern. The tale of loss and suffering involved by them need not be retold here and we are more immediately concerned to devise means by which such profitless disputes may be avoided. I have on more than one recent occasion appealed to Labour to follow wiser counsels for the future and to employers to prove their determination to leave their employees no justifiable ground for complaint. If both parties can combine to establish closer relations with each other and to develop the organisation for settlement of points of difference before they reach the state of conflict, we may face the future with confidence and the Government is anxious to do everything in their power to encourage and assist such efforts. In the Trade Disputes Bill which is now before the legislature we have provided for the establishment of Courts of Enquiry and Boards of Conciliation which may be called into play if disputes get beyond the stage of mutual arrangement. The proposals of the Government in this connection and in the other parts of the Bill which aim at the protection of the public in certain circumstances from the consequences of labour disputes will shortly come before you and I trust that wisdom will guide your decisions in regard to them. But these proposals will not in themselves reach the root of the matter. I have long felt that the best way to secure the advantage both of employers and employed is for the Government to undertake a review of the conditions under which Labour works and to lend such help as it can in the removal of legitimate grievances.

## ENQUIRY INTO LABOUR TROUBLES.

This question has for sometime been under the earnest consideration of the Government and I am now able to say that His Majesty has approved the appointment of a Royal Commission during the course of the present year to undertake such an enquiry. Our intention is that the scope of the enquiry should be wide and that it should with due regard to the economic position of industry in this country explore all aspects of the problem affecting the conditions under which industrial labourers work. The personnel of the Commission has not yet been settled but we shall use every endeavour to ensure that it is representative. I am pleased however to be able to say that we have secured the services as Chairman of Mr. Whitley, lately Speaker of the House of Commons who has been in intimate touch with labour problems in England and is widely known for his association with the establishment of the councils which bear his name. The announcement which I have just made will, I am confident, be generally welcomed. The conclusions of such a Commission will be of the greatest interest not only to India but to the whole industrial world. We may hope they will provide us with a basis for future legislation materially affecting India's industrial future and it is essential therefore that the enquiry should be as thorough and the personnel as strong as it is possible for us to make it.

## FLINGS AT LABOUR LEADERS.

But there is a yet more serious side of the industrial troubles on which I feel it my duty to touch for the genuine grievances which labouring classes feel. There can be no doubt that the unrest of the past year has been due in no small measure to the activities of certain persons whose end is rather to promote anti-social purposes than to secure betterment of the workman's lot.

## COMMUNISM.

The disquieting spread of the methods of communism has for some time been causing my Government anxiety. Not only have communist agents from abroad promoted a series of strikes in the industrial world but the programme which they have openly set before themselves include undisguised attacks on the whole economic structure of society. All classes alike are threatened by the spread of these doctrines and no Government can afford to ignore this insidious danger. Last session my Government placed before you a measure aimed at the agents from outside India who have been engaged in this mischievous work

but by a narrow margin the measure was rejected. The anticipations on which my Government then acted have been justified. The object of spreading communist ideas has been steadily pursued and communist methods have been regularly employed. We have watched in the great city of Bombay the industrial labouring population brought into a state of great unsettlement, excited, prone to violence and often deaf to reason, while in Calcutta we have seen a strike which appears to have no clearly reasoned basis. These facts are only symptomatic of a more general movement of which many here have direct experience and accordingly my Government have decided to place before you once more the proposals for dealing with communist agents from abroad which were under discussion last session and further to include in the measure power to forfeit or control remittances of money from communist sources abroad which are not without a very appreciable influence on the activities of the communists in this country and their ability to promote and prolong for their own ends these industrial troubles.

#### POLITICAL SITUATION.

I must now address myself Gentlemen to some of the broader features of the political situation. I am not concerned to-day to discuss the question whether as some Hon'ble member thinks His Majesty's Government were ill-advised in deciding to recommend to His Majesty the appointment of a Parliamentary Commission or whether as I think and have more than once said that those were ill-advised who have chosen to adopt a policy of boycott although those who followed this course have thus, as I believe, deprived themselves of an opportunity of which others have availed themselves to influence the evolution of India's political future. Each of those questions has now become a historical fact which the historian will weigh with fullest knowledge and it may be with more impartial judgment than we can bring to bear upon them.

But whatever may be your attitude on these matters of acute and violent controversy it would be both unwise and unfortunate to allow them to blur the glass through which we must try to see the future. We meet not long after the conclusion of many important meetings held at the close of the last year and this is not the occasion for me to attempt finally to appraise action taken and words used in the heat of controversy or under the stress of a critical occasion. It would seem evident however what all people most desire is a solution reached by mutual agreement between Great Britain and India and that in the present circumstances the friendly collaboration of Great Britain and India is a requisite and indispensable condition to obtain it. On the one side it is as unprofitable to deny the right of Parliament to form its free and deliberate judgment on the problem as it would be short-sighted of Parliament to under-rate the importance of trying to reach a solution which might carry the willing assent of political India and it is at this stage while we can still have no means of knowing how these matters may emerge from the Parliamentary discussions that it is proposed to destroy all hope of peaceful and orderly progress towards agreement unless by a fixed date. Parliament should have accorded its approval to a particular solution, the result no doubt of earnest effort to grapple with an exceedingly complex problem and as such entitled to serious consideration but one which the important sections of opinion in India have not accepted and which was reached through deliberation in which Parliament had no part or voice. Such procedure savours rather of intolerance and impatience than of the methods of responsible statesmanship and would reduce Parliament to being a mere registrar on the decisions of other persons. That position of course is one that in justice to its own obligations Parliament could accept. I cannot predict any more than any Hon'ble member here when or in what form the report from those whom Parliament has charged with the duty of enquiry may be drawn or whether further enquiry into specific subjects may thereafter be found necessary. In any case we may assume that His Majesty's Government will, as indeed has always been contemplated, desire to subject any proposals that it may then be disposed to make to full discussion with and the criticism of those persons whether official or unofficial who may be best qualified to contribute to the ultimate solution. In a situation, therefore, that must call essentially for

qualities of confidence on both sides and for free exchange of opinion on terms honourable to all, I see very clearly that nothing but harm can flow from a treaty that unless a particular condition is fulfilled which I believe to be mechanically impossible of fulfilment from the outset an attempt will be made to plunge the country into all the possible chaos of a civil disobedience. It is quite certain that no discussions of any kind can promise the least hope of success when either party to them approaches the task in the spirit of hostility and suspicion from which such an ultimatum springs. I recognise that although many leaders and schools of political opinion in India will refuse to march along the dangerous paths of Non-co-operation, many of them openly profess distrust of the attitude of Great Britain that it has given no sufficient proof of her intention to fulfil the pledge that Mr. Montagu gave on behalf of His Majesty's Government in 1917 and that Great Britain is seeking to forget or deny the high policy there enshrined in conditions more favourable to cool judgment.

#### BRITISH CREATION.

I suppose that most persons would admit that British India as we find it to-day is British creation and that it is the British Power which has during the last century, held together its constituent parts. If this centripetal influence is immediately or too suddenly withdrawn, is it wholly unreasonable to fear that some at any rate of parts might fly asunder and the dream of a strong united India, a nation among the nations of the world as we may speak of the British or American nations would vanish and be destroyed? Anxious as I am to see the realisation of this dream, I can hardly hope that any words of mine may suffice to disperse the black cloud of unwarranted mistrust that has enshrouded so much of Indian Political thought but I tell this Assembly again and through them India that the Declaration of 1917 stands and will stand for all time as the solemn pledge of the British people to do all that can be done by one people to assist another to attain full national political stature and that the pledge so given will never be dishonoured and as actions are commonly held more powerful than words I will add that I should not be standing before you here to-day as Governor-General if I believed that the British people have withdrawn their hand from that solemn covenant. Those, therefore, who preach that a new generation has arisen in England which seeks to explain away the significance of the 1917 declaration are consciously or unconsciously but not the less really, misrepresenting the purpose of Great Britain and poisoning wells by which the common life of India and Great Britain is supported and sustained. If there are Indians who are thus tempted to mistrust Great Britain there are no doubt many in Great Britain resentful of what they well know to be an unfounded and dangerous accusation, who may mistrust some of those who speak for India, but if we are thus tempted in the 20th century I know that both India and Great Britain will be judged in the 21 by the degree to which they have refused to loss of faith in one another. Gentlemen of the Assembly, though we may differ on all other issues let us not readily or lightly impugn the good faith of one another, for that is to destroy the very foundation of all hope of better things.

#### VICEROY'S DOUBLE DUTY

I would add one or two observations of more personal kind. Whoever be the Viceroy and the Governor-General of India is bound through his office and conscience by the double duty. He is under the plain obligation of seeing that the King's Government in India is carried on with due respect for the law and in this sphere he may at any time be confronted with issues that are more far-reaching than ordinary political controversy and that are indeed fundamental to all society. Respect for law is an attribute of civilisation painfully and hardly won and a society which lacks it carried within itself the seeds of its own dissolution. Those, therefore, who can guide public opinion in this country are doing no service to India, if they accustom her to think lightly of disobedience to constituted authority whatever the title by which such disobedience may be described.

But in another and not less important capacity the Viceroy and Governor-General stands as an intermediary between India and Great Britain and as such will constantly endeavour to interpret as faithfully as he may the hopes, the feelings

the desires of the Indian people to those who may from time to time compose His Majesty's Government in Great Britain and if I quote the words which are used in connection with another office in the British Constitution "to beg His Majesty's Government ever to place the most favourable construction upon all their proceedings." That duty I have striven and shall strive to fulfil to the best of my ability and it is, gentlemen, because the smooth adjustment of these different functions imposed on a single individual does not lie with me alone, that I have tried to draw frankly the broad outlines of the present situation as I see them. I have desired so far as I could to employ no language which might needlessly offend the feeling of those who take a different view, for I long, as for nothing else, to see the political life of India move down orderly channels to its full term of natural development and to achieve that end we all have our own work to do. On each one of us in our several spheres of this Assembly and outside the time and the subject, lay very heavy responsibilities and it is my most earnest prayer for you and for myself that under God's guidance we may be permitted during the time that lie before us to help one another in their discharge."

After the Viceroy's speech, the Assembly met again at 12 and proceeded with the business on the agenda with Hon. Mr V. J. Patel in the Chair. New members sworn in were Sir George Schuster (Finance Member), Lala Razada Hansraj (returned by Lala Lajpat Rai's constituency), Mr. P. Panderanga Rao, Mr. Frederick William Allison, Mr. V. Michael, Mr. Henry Louis Stevenson and Mr. Sanjiva Rao. The ceremony took ten minutes after which interpellations were taken up

#### CHILD MARRIAGE BILL.

On the 20th JANUARY after question time, amidst unofficial applause, Rai Sahib Harbilas Sarda moved that the Bill to regulate the marriages of children amongst Hindus as reported by the Select Committee be taken into consideration.

The Bill when it was sent out for eliciting public opinion was warmly received in the country and the total number of opinions received amounted to 167, 128 being in favour of the Bill. The Bill though backed by opinions outside could not get the support of those in the Legislative Assembly. Mr. Acharya's amendment to postpone the consideration of the Bill till the report of the Age of Consent Committee became available was carried by 53 to 34 votes amidst cries of "shame, shame."

The division list disclosed the fact that the Government members made a common cause with the oppositionists of the Bill. That clearly showed Government's attitude and the truth of the whole episode was that the Government did not favour any progressive social legislation in this country.

#### LAW REPORTING.

Maulavi Muhammad Yakub moved that the Bill to regulate and improve law reports be referred to a Select Committee. It encountered a vigorous opposition. The Bill, as held by the oppositionists, was unsound and the remedy proposed was wrong. The motion was negatived by an overwhelming majority.

#### INDIAN FILM INDUSTRY.

On the 30th JANUARY the President's casting vote saved the Government from a defeat when Kumar Rananajaya Singh's motion to give immediate effect to the recommendations of the Indian Cinematograph Committee by the imposition of the *Quota system* and introduction of legislative measures with a view to foster the growth of Indian film industry, was put to vote. But for the thin attendance of members the non-officials would have been able to score a victory. The following is the text of the Kumar Sahib's motion :—

"This Assembly recommends to the Governor-General that with a view to fostering the growth of Indian film industry and protection of Indian cinema trade from exploitation by non-Indians, immediate effect be given to the recommendations of the Indian Cinematograph Committee by the imposition of the quota system and introduction of legislative measures requiring compulsory registrations of persons and companies engaged in producing, exhibiting, distributing and importing films or owning or controlling cinema houses, predominance of Indian element being assured in all such concerns."

## COMPULSORY MILITARY DRILL.

After this Dr. Moonji moved a resolution asking the Government to make arrangements for compulsory drill and rifle practice for boys reading in schools and colleges. The following is Dr. Moonji's resolution :—

"This Assembly recommends to the Governor-General-in-Council that steps should be taken as early as possible to provide for compulsory training in military drill and rifle practice for Indian boys attending schools and colleges between the ages of 16 and 20 years."

Mr. Bajpai, the Education Secretary, took up cudgels on behalf of the Government and tried to sidetrack the real issue by raising false bogies. This attitude of Mr. Bajpai drew sharp retorts from Mr. JAYAKAR who showed real debating talent in supporting Dr. Moonji's resolution. Mr. Jayakar said that it was very unfortunate that the resolution came up at a time when non-official benches were very thin and only the Executive Council members could be seen in the Government benches. He wished he could convey the strength of feeling regarded for this resolution in this side of the House to the other side. It was the one resolution on which popular feeling like that on the Simon Commission question was very keen. They felt very keen because the resolution was concerned with the youths of the country (héai héai). While such was the case he could not understand such insuperable arguments coming from Mr. Bajpai, the Education Secretary. He could well understand if such arguments had come from the Army Secretary. When Mr. Bajpai got up as an educationist giving such arguments they come as a strange surprise. The resolution was a most important one and Dr. Moonji had moved it in terms of great self-restraint. What did the resolution want? The plea of the resolution was that the Government had deprived of that spirit in the youths of India which the Sken Committee regarded essential in the future Indian Army officers and which was very necessary in their life. When India was free there would be no question of having no self-defence for India. The simple plea of the resolution was to produce that spirit in the students. Was there anything extravagant in such a modest plea?

Continuing Mr. Jayakar said, he knew the fate of the resolution beforehand but he asked the Government not to vote on false grounds. If the Government wants to say 'no' to the resolution, let them say it plainly and on good grounds. He then charged the Government with having deprived the youths of the spirit of initiative and the spirit of courage which were essential and necessary qualities of youth. Then quoting from certain passage he said "We don't want generals and soldiers but an industrious husbandry. We now feel immensely the evils of the education of 150 years of rule and we want them to be remedied first and it must be remedied first. What are we asking but Dr. Moonje's unambitious experiment which he means by his resolution? Mr. Bajpai had opposed this resolution on constitutional basis. The secret of it is that the Government represented by Mr. Bajpai do not regard this question as of national importance."

Concluding Mr. Jayakar said : "This youth movement having sixty thousands youths behind it whose ambitions and impulses are awakened, is growing day by day and are not the Government going to harvest the intelligence and sacrifice of these youths which is lying dormant in them and utilise them properly? If they do not do it now, they will have to repent for it afterwards. If the Government do not take this opportunity, all energies of youths will take the direction of 124 (a) and then the Government of India will have to devise new methods and new manners to harvest them. Now is a glorious opportunity for the Government to lead the youths of this country and rise to responsibility by conceding this resolution" (applause) The debate was not concluded when the House adjourned.

## CR. PROCEDURE CODE AMENDMENT.

On the 31st JANUARY the Assembly held one of the briefest of sittings. Pandit Thakurdas Bhargava introduced the Bill to further amend the Code of Criminal Procedure of 1898, amendment of Sections 205 and 510-A. In stating his reasons he said that in the present state of law in cases in which summons were not

issued in the first instance neither disease nor old age nor any other compulsion could exempt the accused from personal appearance at the hearing. The amendment enlarged the scope of discretion and made it applicable to cases when the accused was unable to attend court or need not attend court for good reasons and the Court could in its discretion proceed with the case. The House then adjourned till the 4th February.

On the 4th FEBRUARY the Assembly met in an atmosphere surcharged with uncertainty regarding the fate of the Public Safety Bill which stood second in the list of the business. The House was as usual very thin and the public galleries were crowded.

#### WORKMEN'S COMPENSATION AMENDING BILL.

Before the Home Member moved the Public Safety Bill Sir B. N. Mitra (Industry and Labour Member), moved to refer to a Select Committee the bill further to amend the Workmen's Compensation Act 1923. In moving it the mover said that the Government had in view to introduce a more comprehensive bill later on revising the present Act. For that purpose they were in communication with local Governments. The Bill was referred to a select committee.

#### The Public Safety Bill

Mr. Crerar, Home Member, then moved for leave to introduce the Bill to check dissemination in British India from other countries of certain forms of propaganda. Leave being granted he moved that the Bill be referred to a Select Committee consisting of Sir Darcy Lindsay, Sir Victor Sassoon, Nawab Sir Abdul Quaim, Mr. Tarit Bhusan Roy, Mr. Fazl Rahimtullah and the mover with instructions to report on or before the 28th February, 1929.

In moving the motion the Home Member first re-capitulated the objects of his Bill. He said that when it was referred to a Select Committee last time very substantial changes were made in the Select Committee. In the first instance there were restrictions of the clause describing the nature of the activities against which the Bill was aimed at. Provision was made to have the matter referred to the High Court and it was limited within five years.

Explaining the reason for bringing the measure after its defeat by one vote last time, Mr. Crerar said that the principle underlying the Bill was to invest the Government with the power to check the mischievous activities of persons coming from outside India. The crucial question before the House, the Government and the country was if the situation was such that it required exceptional measure to be adopted. He affirmed that the situation was such that it required exceptional measure to deal with the situation.

Proceeding he said that the activities of the Communists were directed against social, economic and cultural structure of the society. The ultimate aim and the object of Communist propaganda was to bring within its orbit the whole country.

A voice : What is the harm ?

Mr. Crerar : This was sought to be done by subterranean methods. Industrial unrest in the country was exploited by these illiterate and ignorant industrial workers, especially in Bombay and Calcutta. Further, sedulous attempts were being made to bring the Youth Movement in the country within the orbit of Communism. This constituted a formidable danger to the country for if the educated youths of the country were imbued with the tenets of Communism, it would be fraught with the gravest of dangers.

Dealing with the Communist activities in the country the Home Member referred to the formation of Communist International in Russia in 1919. Pamphlets were sent to this country by M. N. Roy, and the Cawnpore Bolshevik Conspiracy trial case followed afterwards. After that trial there was a lull in the activities of the Communists in the country, but it appeared with renewed vigour with the appearance in the country of a certain foreign propagandist.

He then referred to the grave disorder consisting of lightning strike, murderous assaults and deplorable other incidents that had taken place during the last few months in the industrial areas of Bombay and Calcutta. He then gave a

catalogue of crimes in the Bombay mill area during the last two months. As for Bengal after referring to strikes he referred to the big labour demonstration on the maidan in December last where mottos such as "Long Live Revolution," "Workmen of the World Unite," etc. were displayed.

Continuing Mr. Cierar described how the success of outside emissaries were creating a great amount of unrest in the country and said such actions would result in a very dangerous situation. The scope of the Bill, he said, had been enlarged by an additional clause of confiscation or control of foreign money. These remittances were made not from any legitimate interest in the merits of industrial dispute, but with a view to promoting preliminary stage of a revolution to which such bodies looked forward. The Government had no desire to interfere to the detriment of men who were engaged in legitimate industrial dispute with their employers. But it was manifest that any foreign organisation should not be permitted to support such movements with the ultimate object of promoting a revolution. There is also reason to believe, he said, that money was remitted from Communist sources for the support of agents, now in India, and in aid of certain journals into India which were preaching the doctrines of Communism. The Bill was designed to give power to remove the agents of Communism who obtained entrance in India, provided that they were not Indian British subjects ordinarily resident in India and to forfeit or control the expenditure of funds remitted by Communistic sources. Remittances were day by day increasing and these remittances would later prove of disastrous consequences.

Mr. Cierar then dealt with Communistic press propaganda which he said was assuming a huge extensive scale and steps must be taken to counteract this sort of propaganda and this Bill was intended for it. The greatest possible effort that can be made was to introduce gradually steps to remedy the existing evils and the first step which should be taken was that "we should cut off the Communist movement in India from all external sources" (official—hear hear).

Dealing with the two main issues of the Bill Mr. Cierar said that the general policy of the Communist movement was to rouse a spirit of discontent and lawlessness in the masses whether industrial, or agricultural with the ultimate object of destroying by violence both the Government established by law and the present economic organisation of the society and substituting what they describe as 'dictatorship of the proletariat.' So the immediate object of this Bill was to cut off the Communist movement from external influences and the effect of the present system was not sufficient to deal with them. He then quoted how in Madras a large number had been prosecuted and said that with the aid of the authority provided in the Bill the exclusion of the Communists abroad and dangerous consequences which might crop up from their influences might be successfully dealt with.

The next question was, continued Mr. Cierar, if the House passed the Bill and gave them the authority in what way they would begin their action against the Communists. The reply was that the essence of the Bill was solely against non-Indians. (official applause). He again repeated that in India industrial disputes had resulted in incalculable injuries, acts of violence and acts of intimidation. Strikes had occurred with the greatest intensity and with the gravest consequences. By intense propaganda the movement had assumed a huge scale and the object of the Bill was directed against that propaganda. By the introduction of this measure, firstly the workers were to be benefitted, then the landlords and the capitalists. It must be the duty of all, when outside influences were at work in India against the elementary principle of national progress to work against them. The Government have taken part of their responsibility by bringing in this measure, and it was for the House to take the rest of the responsibility and they must share the responsibility.

Continuing Mr. Cierar said :—"I am also concerned with the opposition on sound and reasonable grounds. But the opposition, which I have now, is a mere opposition without a reason and without a policy. Such opposition may have a temporary success and such success will lead only to dangerous consequences."

Concluding, he appealed to the House to pass the measure and said :—"We

have acted according to the traditions of the British constitution on which the Governments of Great Britain and India are based and on whose declared policy this Assembly owes its existence. We came here for this legislation last session and we now come to you again for legislation."

MR. GAYAPRASAD'S AMENDMENT.

Mr. Gayaprasad Singh then moved his amendment 'that the bill be circulated for the purpose of eliciting opinions thereon.'

In moving his amendment Mr. Gayaprasad Singh said that provisions in the Bill moved by Mr. Crerar were quite unacceptable for they were very drastic and rigorous. The Hon'ble Home Member had said that evidence was being accumulated for some time past of subversive intentions and activities of the Communists directed against India. When asked to place on the table the alleged accumulated evidence the Government refused and when such simple demand was refused he asked if any self-respecting member would accept the Bill. Powers in the Bill, he continued, were mere illusory. Then he dealt with the Bill clause by clause and said that the major clauses of the Bill were quite unacceptable and hence the Bill, he said, should go for circulation and elicit public opinion.

Concluding amidst non-official applause he said, "Lord Curzon had said that the work of exploitation and work of administration go hand in hand in India and this is a measure of exploitation."

On the 5th FEBRUARY it was a pitched battle of talents that was fought on the floor of the Assembly over the *Public Safety Bill*. Though Pandit Motilal Nehru, Pandit Malaviya, Mr. Jayakar and others did not take part in the debate, able and convincing arguments were advanced by Dewan Chamanlal and Mr. Rangaswami Iyengar which showed the utter futility of the Government's case.

*"The Bill was introduced last session but was not passed. Four months have since passed but nothing like destruction of society has come to pass"*. With these words Dewan Chamanlal challenged the Home Member and ably pointed out that the Bill was in reality directed against the working Class movement.

Sir Denys Bray raised the mischievous cry that the youths of the country should be saved from being influenced by the Communists.

Mr. Coatsman in his speech repeatedly drew the attention of the members to his file of cuttings from English as well as vernacular papers which, he said, would show how Communist propaganda was spreading in different lines.

Mr. Rangaswami Iyengar in a much interrupted speech said that the Bill was not aimed against Communism but really intended for putting down the bonafide of the Labour Movement in the country. After Sir Victor Sassoon and Mr. Birla spoke the Assembly adjourned. The following is Dewan Chamanlal's speech —

Dewan CHAMAN LAL following Sir Denys Bray said that the argument of Sir Denys was that the safety of the country was at stake and the Government had to be armed with special powers to deal with the situation. He asked the House to judge for themselves if the spectre raised by Sir Denys was real or imaginary. Dealing with the assertion of Mr. Cosgrave who spoke yesterday that the present Bill did not savour of the Star Chamber methods, Dewan Chamanlal maintained that the Bill did savour of the Star Chamber methods. People arrested under the provision of this Bill will be sentenced on evidence of forged or concocted documents which would not stand the scrutiny of ordinary law. Proceeding Dewan Chaman Lal said that people who were on trial were not Spratt or Bradley but Sir Denys Bray and his associates.

Sir Victor Sassoon They do not mind it.

Dewan Chaman Lal. That is the tragedy of the situation. Englishmen, as soon as they cross the Suez Canal, lose all fear of trial.

Proceeding Dewan Chaman Lal said that at the last session the Home Member speaking on the Bill foretold the impending disruption of society, destruction of its moral, social and educational fabric if this Bill was not passed. Four months have since passed but nothing like destruction of society had come to us.



The Home Member :—I never said that there would be destruction of society within four months.

Dewan Chaman Lal :—If nothing serious happened within four months then the Home Member clearly fails to prove the urgency of the measure.

There were cries of "No" "No" from the official benches at this.

Dewan Chaman Lal : It has not come to my notice that the European members of the Government on that account travelled in discomfort or were assaulted or murdered.

Col. Crawford : The social fabric was tottering.

Dewan Chamanlal : Col. Crawford has not passed one sleepless night on that account.

Proceeding Dewan Chamanlal said that he pictured the Home Member as Mother Britannia and Messrs. Spiatt and Bradley two mice who were trying to climb up her leg. There were cries of "help". "Murder" and that is how the Public Safety Bill came to be introduced. Communism was no danger to the country, proceeded Dewan Chamanlal. There were hardly ten honest Communists in the country, the rest were all C. I. D. paid agents.

A voice :—K. C. Banerjee.

Dewan Chamanlal :—Not Banerjee alone. There were many others like him (cries of "No", "No" from official benches).

Dewan Chamanlal :—I challenge the Government to institute an enquiry consisting of Pandit Nehru and Pandit Malaviya and under the seal of secrecy to produce before them their secret documents and disprove my contention.

Proceeding the speaker said that at the back of the Government was the intention that once the Assembly was committed to the principle of this Bill they would bring forward legislation to deal with the Indian Communists. The Government wanted to tackle the Indian political situation. They found that power was gradually shifting from the hands of the upper and middle classes into the hands of the working classes and they were afraid of that situation. This Bill was in reality directed against the working class movement. Proceeding Dewan Chamanlal asked what the basis of this measure was.

Mr. K. Ahmed :—Money from Moscow.

Dewan Chamanlal :—It is better to accept money from an outside source and do good to the working people than to sit like an interrupter in the Government Benches and do nothing.

Continuing Dewan Chamanlal said that they should face the real problem. The real problem was that people were hungry. It did not need a Spratt or Bradley to tell people that they were hungry or the Home Member that they were not hungry. If hungry people were told that the only way they could get rid of hunger was by the nationalisation of land and industry, who was going to prevent people from accepting that doctrine? Continuing he said that the act was so vague and indefinite that any body could be victimised under the operation of this Bill. The object of the Indian National Congress was subversion of the Government.

A Voice :—By violence?

Dewan Chamanlal :—By all legitimate measure.

Proceeding the speaker said that the provision of this Bill might as well be directed against Congressmen. He asked the Government to be frank and tell plainly what was really at the back of their mind in bringing forward such legislation. Finally he reiterated that the danger of Communism was no real danger to Indian people and asked all to overthrow this Bill.

*The following is Mr. Rangaswami Iyengar's speech.*—

Mr. A. Rangaswami IYENGAR opposed the Bill. He said he was sorry that Mr. Coatman had burnt midnight oil in preparing cuttings and a pamphlet (laughter). Probably all that he wanted to show was that Indian newspapers had written about Communism and he said his attention was drawn to an extract from the "Hindu" of which he was the Editor. It was, he said, the report of an excellent speech delivered by Mr Saklatwala here in the Assembly on Communism, but did it show that violence was preached and that the country was honeycombed with Communist organisations?

Referring to the speech of Mr. Cosgrave yesterday in which Mr. Cosgrave wanted to prove that the Bill was drafted on the models of laws in force in U.S.A., Australia and Canada he said it was obviously wrong to quote a law intended for one particular purpose in support of a law intended for another purpose. The object of those laws was to restrict emigration in newly settled countries whereas the present Bill was intended for putting down some propaganda. He then read Sections three, seven and eight (a) from the Australian Act and wanted to prove that provisions had been made there for trial before ordinary courts and though proceedings were not open to public, the accused was entitled to engage a pleader and put in evidence.

Mr. Graham :—Can the Hon'ble Member read those sections to prove it ?

Mr. Graham then passed over a book to Mr. Iyengar. Mr. Iyengar began to read Section seven dealing with provisions for a summary trial (official cries : section eight A 1.)

Mr. Rangswami :—You do not want Section 7 ? He then read Section 8 to show that deportation was provided for after conviction by trial.

(Official cries :—Where is the evidence ?)

Mr. Iyengar :—Evidence is there in the Canadian Act.

Continuing Mr. Iyengar said that in Canada people were allowed to appear by a pleader and no Star Chamber method was followed in any other institution. • He then referred to Canadian laws according to which a pleader could be engaged, evidence was taken on oath and there was provision for an appeal and the whole proceeding was asked to be made a public record. He then said that when thousands of exploiters were allowed to come here why a few people were being prevented from doing peaceful propaganda against those who were bleeding the country ?

Concluding he said that the Bill was not aimed against Communism but really intended for putting down "Bona fide" labour and agrarian movements in the country.

Sri Victor SASSOON opposed the amendment. He emphasised that the present Bill was similar to legislation undertaken in the United States of America, Canada, and Australia. He controverted the assertion of Dewan Chamanlal that this Bill might be utilised against any other class of persons than Communists. Finally he ridiculed Dewan Chamanlal's comparison of this Bill with the Star Chamber methods. The House then adjourned.

*"Never had any Legislature armed the Executive with such a power simply because the prosecution were unable to adduce evidence"*. With these words Pandit Motilal NEHRU exposed the hollowness of the false issues raised by the Government when the debate on the Public Safety Bill was resumed on the 6th FEBRUARY in the Assembly. It was, indeed, a brilliant speech and he took over an hour to explain clearly how the Executive had recently developed a voracious appetite for autocratic power. The Pandit rightly called this measure the *Slavery of India Bill* or the *Safety of Bureaucracy Bill*.

Proceeding Pandit Motilal said :—"I take this Bill as a direct attack against Indian Nationalism and the Indian National Congress (Hear, hear). The object of the Bill is to cut off India from outside world and to isolate it. It wants to prevent any other country from taking any interest in Indian affairs. That is my honest opinion as well as members on my side. Can you erect barbed wires to keep out ideas ? Those times are gone by. Ideals travel in spite of precautions. What harm is there in allowing Communistic ideas to come to India ? I am not one of those who tremble in their shoes at the name of Communism. I have met, he said, many of the Communists and they were men estimable, of character and ability having courage of their conviction. We have nothing to gain by holding those opinions but every thing to lose by putting those opinions to practice. I have also met men who differ with me and yet I do not hesitate to co-operate with them".

Pandit Nehru referred to the speech of the Home Member who, he said, laid prominent emphasis on the League against Imperialism and his was a personal knowledge. He was present at a meeting of the League as a representative of the

Indian National Congress. Mr George Lansbury had been till recently the President of the League against Imperialism and the present President, Mr. David Maxton, is the present President of the Independent Labour Party of England and neither of them were Communists. Yet they were Presidents of Associations which were admittedly Communist. Pandit Nehru said the League contained Communist and non-Communist members and its object was to secure freedom for the subject races of the world and to fight against Imperialism. So far all Socialists, Nationalists and Communists met and devised measures. When he attended the meeting he was called upon to speak and was assured that one need not be a Communist to be a member of that League. When he spoke he completely dissociated himself from the theory and practices of Communism (Cries of "hear hear" from the Congress benches and Central benches). More than a dozen representatives to the League rose in their seats and shared his views. How the Home Member, the Pandit asked, could assume that the League against Imperialism was the kind of association which was called communistic? Those on the other side of the House twisted all ideas and then presented them to the House. Proceeding Pandit Nehru said that the Indian National Congress was associated with the League against Imperialism and not affiliated to it. They were not members of the League because they did not agree with the whole of its programme, but sympathise with its object to free the subject races.

Pandit Nehru then referred to the speech of Sir Denys Bray. He said: It is a pleasure to hear him. I always admire his style (laughter). but I cannot understand what he wanted to make out when he sat down (laughter). He is a perpetual youth. All those dreams in youths he described so vividly as that the youth still continues in him. He can give us an intellectual treat. (laughter) However great the emphasis Sir Denys Bray did lay in pronouncing the word "Revolution," there was no terrible meaning to the word other than what is found in an ordinary dictionary. It is after all a very simple word (laughter). We are in fact, he said, all peaceful revolutionaries. We want, frankly, revolution, of course, not accompanied by violence. Times without number we have said that we want a bloodless revolution. We simply want to organise ourselves and disobey unjust laws and make the present system of Government impossible (Congress benches "hear" "hear").

Coming to the Bill Pandit Nehru said that it was a more retrograde measure than the first Bill and the arguments in support of it were more feeble and less convincing. All that had happened since the last session of the Assembly was, he said, that the Executive had developed a voracious appetite for autocratic power. It was no longer satisfied with attacking the liberty of men and freedom of the nation but wanted to put its hands in others' pockets and take as much money as it could. He wanted to call this measure the "Slavery of India Bill" or the "Safety of Bureaucracy Bill".

Pandit Nehru continuing said that he owed an explanation to the House as to why he did not raise the point of order which he raised the previous occasion. In the first Bill, he said, there was not a semblance of judicial trial. When the Bill came out of the Select Committee it was found that some such provision was made and it was included in the present Bill. It was a fair trial no doubt and though it might be a mere pretence yet he could not raise purely a legal question which was raised last time.

Pandit Nehru then wanted to clear the ground, by making some general observation as to Communism or Bolshevism. Communism, he said, no doubt contemplates radical things but there were various forms of Communism and grades of Communists. There were good forms and bad forms. He said that things were not so bad in Russia as they were supposed to be. So far as the Bill was concerned, he said, it was immaterial, as there was not a single member in the House who was for importing Communism in India in the present state of circumstances, although it might be necessary in some future stage. The House need not waste its time over the discussion on various forms and horrors of Communism. The question that remained was whether it was a real menace to

the country and whether the existing law was not sufficient to remedy the evils.

"What is the principle of this Bill? The principle is simply this. What a court will not do, you empower us to do. You may conceal it by any embellishment, but still it is the only reason why you must have extraordinary power."

Proceeding the Pandit asked if the Honourable Member had any evidence in his possession, why did not he disclose it? Simply connecting what had happened between the September session and now with the Communist activities would not do. If it was a case of war or rebellion, one could understand investing the Executive with greater power to meet an emergent situation. But in normal times one could not understand the Executive asking for such powers. Never had any legislature armed the Executive with such a power simply because the prosecution were unable to adduce evidence. In the case of the Ordinance, they could adduce one reason that open trial was not possible because witnesses were terrorised and threatened with murder and therefore no witness would come and no open trial was possible. As for trial the Home Member himself had given the proper answer. He had said that after the Bolshevik Conspiracy trial there was a lull in the activities of the Bolshevist agents.

Coming to the argument that the Youth Movement in the country was being affected the Pandit said that the Youth Movement was a world-wide movement. This movement had sympathy of every well-wisher of the country. It was on the youth that the future of the country depended. (cheers). I deny that the Youth Movement is imbued with communist ideas."

Referring to riots in Bombay and troubles in Calcutta, Pandit Nehru said that there had been no satisfactory evidence adduced that these troubles were due to Communist activities. Proceeding Panditji said that reference had been made that a labour demonstration in Calcutta carried flags with mottoes such as "Long live the Soviet Republic." If they carried a flag with such mottoes they also carried flags with the motto "Simon Go Back" which was prominent than others. He had personal experience of this Labour demonstration. They found them to be the mildest of creatures on earth. They had, of course, to postpone the Congress meeting, which did not sit then by one or one half hour. But these people retired from the Congress Pandit which they occupied for holding a meeting of their own and on the stroke of the hour they retired peacefully (cheers). What was wanted was a kind word, kind treatment and sympathy.

Referring to Mr. Gavin Jones's remark that the Soviet recently earmarked a quarter of a million for carrying on propaganda in India Pandit Nehru said that during the last session he told the House how the Riga correspondence about Soviet Russia was manufactured and how it was swallowed by the general public. He could not understand how Soviet Russia could be tottering on its last legs and at the same moment be producing millions of pounds for propaganda outside the country.

Coming to the consideration of the Bill Pandit Nehru said that if interference with the ownership of property was punishable the cry for Indianisation of Railways also came under the provision of this Bill. Referring to the clause of the Bill which seeks to punish any act seeking to foment or utilise industrial disputes with the direct object of subverting the organised Government or with any object the attainment of which is intended to conduce to that Panditji said this clause had nothing to do with violence and unless the Government was subverted by violence, violence was no crime. Referring to words "with any subject" he said that Dewan Chaman Lal was quite right when he said that every Indian came under that clause. Proceeding Pandit Nehru said that Congress advocated non-payment of taxes which "conduces" to the result mentioned in this clause and no ingenuity could take out the Congress from this clause as it stood.

Referring to Clause three saying that the removal order was to be given, "If the Governor-General-in-Council is satisfied" Panditji said that every body knew their ways of satisfaction which was based on the C. I. D. report.

Pandit Nehru then drew the attention of the House to another remarkable thing, namely, that the Act made it punishable the mere intention of persons concerned and as soon as the Governor-General was satisfied there was no hope for the man. Referring to the clause dealing with confiscation of money he said that it dealt with not only money coming from outside, but the one element that constituted offence was that it was intended to be applied in British India in accordance with instructions given from outside British India. Thus the hard-earned money of a man could be touched if any outside instruction could be produced. The League Against Imperialism and other Socialistic bodies, might recommend certain lines of action and the moment it is said that any money was spent according to instructions from outside, it could be touched. If Soviet Russia placed orders with European merchants of this country and deposit money in any bank in India the Executive could pounce upon that money as sent from Russia and spend under instructions from Russia.

Continuing Panditji said that the points of view of the non-official European members and the Congress members were quite different. "We take everything," he said, "with considerable amount of suspicion and examine every word to see how far it can be extended. But the point of view of my friends over there is safety. Then money will never be touched."

Proceeding Panditji said "All public funds which received contributions from outside world come under this law. If the so-called communist send some money to the Khilafat funds earmarking it to be spent for building a mosque, the money will come under this clause."

Continuing Pandit Nehru said that according to the Bill, the Government might enter upon any premises for such goods or money. What Congressmen and public men, he asked, were safe under the clause? It might be said that the Governor-General was to be satisfied. Who knows, he asked, what poison has been installed in the ears of the Governor-General.

Referring to powers of the High Court Pandit Nehru said that the poor High Court with all its splendours was precluded from judging the Act. It could only set aside on the ground that such person was an expected person. The offence, he said, was further placed on the same level with the offence of a murder. Seven days time was allowed for an appeal. On the 8th day the person would be too late. He referred to the speech of Mr. Keane who laid great emphasis on three experienced judges and said if they would be three angels he could not get justice. They could not judge because evidence was one-sided "Give us three men from the street," he said, "and produce the whole evidence and allow us to cross examine. You may not satisfy me by giving three Privy Counsellors."

Referring to the clause dealing with appeals against the order for forfeiture he said that the intention was made a crime and the Governor-General was to be satisfied with materials submitted by the Home Member which the persons concerned could not scrutinise. Could there be anything, he asked, more barbarous than this? The Government could enter into any bank and look into its private transactions and pass book etc. No Indian bank was safe. They could be touched on the slightest accusation. They were asked to believe the Government's evidence without allowing them to scrutinise it. There lay the monstrosity and barbarousness of the provision.

Pointing to the central benches and particularly to Sir Abdur Quayum the Pandit said that members here were sitting tight in their seats quite satisfied, and quoted an Urdu poem saying 'oh pigeons on the roof of the harem, what do you know of the woes of the pigeon whose feet are tied in cages.' He said addressing Sir Abdur Quayum 'You are pigeons on the roof of the harem and we are pigeons whose feet are tied up. Concluding Pandit Nehru referred to the remark of the Home Member that he would make deduction from agrarian troubles and find out the origin of the cause and asked what were the golden scales with which the Home Member could deduce economic causes?

Sir Purushottamas THAKURDAS said that inspite of so much water that had flown under the bridge since the last Simla session in industrial disturbances the Indian

commercial opinion had thought it right to oppose this Bill and his constituency had sent him a telegram to oppose the measure as it was too arbitrary and hence the measure should not be placed in the statute book. The whole reason why the Indian commercial people was opposed to this Bill was that they perceived in this measures more of politics than of industry (non-officials : hear, hear). Why this political mixture ? If the Government were really genuine they would have brought a comprehensive measure without a political touch in this Bill. Communism was badly mixed up with politics and cleverly mixed up also. Why were the clauses in the Bill so wide. If that was Government's idea, let him tell the Government that the Indian commercial opinion would prefer to suffer any disturbances to pass such measure to be placed in the statute book.

Continuing Sir Purushottamdas said the completeness of the Bill exposed the largest amount of suspicion on Government. What were the Government going to do with the Indian Communists ? "I have been asking the question for a very long time and I now repeat my question for the Home Member to answer. If you can convict Indian Communists under the existing laws, why not convict the British Communists under the same laws ? It seems this measure is intended only for Mr. Spratt and Mr. Bradley and the few who were likely to come to India. The fact is that the Government want some extraordinary powers to deal with them. He again asked what the Government proposes to do with the Indian Communists ; it is no use being blind to this fact."

Concluding Sir Purushottamdas said : "The Europeans will go so far as it suits them (cries of hear hear). The Government must first trust the people. The Government cannot get the confidence of the people unless the Government see facts as they are and not as they ought to be (hear hear). People are not prepared to trust the Government. I, therefore, feel that what is wanted at this juncture is not a Select Committee, but that the Government should take into confidence members on this side of the House and modify this measure. (applause).

On the 7th FEBRUARY the debate on the *Public Safety Bill* was concluded. After the speech of Pandit Madan Mohan Malaviya and the Hon. Mr. Crerar's reply to the debate the House divided at 4.30 p.m. and the motion for reference of the *Public Safety Bill* to a Select Committee was carried by 61 against 50 votes amidst cries of 'shame', 'shame' from the Congress benches. Though the Government came out victorious, an analysis of the Division List showed that fifty elected members voted against the Hon. Mr. Crerar's motion while the Government had the support of only fifteen elected Indians. In spite of the fact that Pandit Malaviya, Munshi Iswai Saran and Mr. Aney put up a gallant fight the debate was dull.

At the outset Pandit MALAVIYA dealt with communism in its different aspects. He said that communism could be viewed from two aspects. The first aspect of communism was to seek to promote the growth of the common people. The Government had issued in the form of pamphlets extracts from news-papers on communism and one of its extracts was a speech of Mr. Saklatwala which he delivered in Madras. In that speech Mr. Saklatwala had said that society should be so constructed that those who worked for it should be rewarded. The Pandit then read the portion of the speech and said that he endorsed every word of Mr. Saklatwala. This aspect of communism, Pt. Malaviya emphasised, was entitled to the whole-hearted support of every right thinking man. This was a part of the ancient creed of the society of this land of ours and the vast portion of the mankind. "Another aspect of communism", continued Pandit Malaviya, "is that it desires to distribute property and does not like money to be kept in banks. But the way by which money is to be distributed should not be violence. We are thoroughly opposed to such a method. We are one with the Government to keep out men who advocate violence and in this respect Pandit Motilal had expressed a common opinion."

Proceeding Pandit Malaviya said—"The real difference of ours with the Government is that we are opposed to the method by which the Government want to proceed to bring about the desired result." He then read the clause of the

Bill which runs : "Any person who directly or indirectly advocates overthrow by force or violence of the Government established by law in British India, or unlawful destruction of property or unlawful interference with the ownership of property, or who seeks to foment or utilise industrial or agrarian disputes or other disputes of the like nature with the direct object of subverting the organised Government in British India or with any object the attainment of which is intended to conduce to that result." The Pandit said : "That being the object of the Government what is the measure the Government propose? They propose a measure to condemn a man without any trial. Our objection is that such a measure substitutes the executive power for the judicial power. I am surprised to find from the members of the opposite benches that there is nothing wrong in accepting such a measure in spite of the fact that there is no law in England that could condemn a man without trial. Hence, there is no doubt that this measure seeks to put the executive in place of the judiciary. So, in the best interest of the country and in the best interest of justice, we on this side of the House, are entirely opposed to such a measure."

Continuing Pandit Malaviya said —"We are opposed to condemnation of a man without trial." It means a serious curtailment of the rights which the foreigners up to this time enjoyed in this country. If this Bill becomes law, a British subject, or a foreigner might be condemned by a mere decree of the Governor-General-in-Council. Nor is the second clause of the Bill less objectionable. We have been hitherto crying for equalities of rights. If we by the passing of this Bill deprive a British subject of his right to open trial where will be the meaning for our cry? The provision regarding foreign money is not less revolutionary. Sir George Rainy said that these are matters for the select committee. I submit that this is not a matter for the select committee. We must discuss the principle of the Bill on the floor of the House and unless we can accept the principle, we can not send it to the select committee."

Continuing the Pandit said that if strikes and disorders in industrial areas were the only cause for enacting such a legislation, then his reply was that in England there had been greater strikes and disputes but the Government had settled these by conferring with the leaders of the parties. "Why cannot you satisfy yourselves with that method?"—asked Panditji.

Reading from a speech of Mr. Saklatwala the speaker said that if such sentiments were uttered by a Britisher in India his liberty would be put under restraint while in England he would be treated as a free man.

Proceeding the Pandit said :—"It has been said that you should not express distrust of the Government. If it is so, it is no fault of the people. The wrong use of the executive power by the Government with which they were armed have made the people suspicious. Regulation III of 1818 is still on the Statute Book Under this Regulation the Government imprisoned men like the late lamented Lala Lajpat Rai, Aswini Kumar Dutt and others. Dr. Besant was detained under the Defence of India Act. During the Non-Co-operation time men like the Late Deshbandhu Das, Pt. Motilal Nehru were sent to jail and about 25000 people all over the country were imprisoned. Internments and imprisonments under the Bengal Regulation were only of recent memory. That is the result of trusting the Government with executive power. With this record of imprisonment and internment and persecution to your credit, you ask us to trust you with more powers. Are you justified in doing so? I submit, no."

Continuing Pt. Malaviya said that it had been said that communist propaganda was doing great harm to the country and a remedy must be found for it. He submitted that the existing law of the country was sufficient to deal with the evil. He did not want to copy law from Australia badly—mangling it by omitting its vital part. By omitting to incorporate the right of trial they had put everything topsy—turvy. The show of trial which was conceded under the present law was hardly doing justice to the judges before whom the case would be placed.

Continuing Pandit Malaviya said : "There was no reason to be alarmed at the writings of the vernacular press who only say that the present system of

Government is very bad. The condition of the agriculturists in India is very lamentable. Do the Government know that they do not get sufficient to eat and to clothe themselves (Cries of shame, shame). Is it not a matter of shame for both officials and non-officials that after 150 years of British rule such things should exist? Take the case of the industrialists also. Their condition was none the better than the agriculturists. I have gone to Bombay and have personally seen the conditions in which the labourers live there. Who will deny that there are mill-owners in Bombay who engage Pathans to keep the labourers down?

Sir Abdul Quayam :—Why do the capitalists employ Pathans?

Pandit Malaviya :—The reason is that one of the sins of the Government is that they employ Pathans. (Voices from Government benches. No, Government do not employ Pathans). In Bardoli who employed the Pathans?—(Loud non-official applause and cries of shame, shame) and the Government have set an example to the Millowners to employ Pathans (Laughter). This I say with more sorrow than in anger. Continuing Malaviya said that the agriculturists and the industrialists have been exposed to all evils.

Sir Abdul Quayam : Still the Government open fire at the Pathans.

Pandit Malaviya I do not stand here to apologise to the Government (Hear, hear). Pathan or no Pathan, the Government cannot be excused if they do any wrong to any fellow-subject. (Hear, hear).

Proceeding Pt. Malaviya said : In addition to their failing to discharge their duty to their subjects the Government had been guilty of atrocious wrong which is largely responsible for the present situation. Who created this present situation? I say it is the Government. The Government are not responsible to the people. They are not responsible to any body. This Government in the teeth of opposition passed that wretched measure, the ratio question. What does this mean? It has been predicted that the passing of such a ratio measure would be disastrous and would lead innumerable strikes. We on this side of the House urged, Sir Purushottamdas urged and, I am glad to say, Sir Victor Sassoon and Mr. Cocke urged that the Government should not be so obstinate to pass such a measure. Everything of what had been predicted has happened. Sir Purushottamdas had predicted that strikes would occur and it has happened so.

Pt. Malaviya then read from the "Pioneer" an article published on 18th December on ratio and appealed to the new Finance Member to reconsider the question (laughter). The article said that Sir Basil Blackett's 18d ratio had been tried and proved disastrous.

The Government of Bombay had recognised that such ratio had proved disastrous. By this ratio the millowners had been put into a great disadvantage. They were between the devil and the deep sea (laughter). On the one side there were the labourers and the Government on the other.

Proceeding Pt. Malaviya said :—"I was in Bombay when strikes were going on and I got the grievances of the workers and placed them before the millowners. Some of them were willing to come to a settlement while others were unwilling because the Government had placed them in such a position that the strikers were not to their disadvantage. The Government had helped Japan and other importers and they have hit their own men. If we had a national Government we would not have such prolonged strikes. We would have used all that is in our power to bring about a settlement of the strike. In England how is the Prince of Wales engaged now? Is it a wonder that the workers who have restrained themselves so far and acted with patience to give way in their hunger and misery? I submit, Sir, that the responsibility lies with the Government."

He hoped that the present situation in Bombay would be subsided and a settlement would be arrived at. He did not apprehend that the troubles would spread, but settlement of these troubles would not improve the general situation in the country. The problem of the general masses has to be dealt with in another direction. Our influence with the youth movement which is the rising movement will not depend upon the passage or non-passage of this measure. It will depend on the Reforms which we are going to get in 1929 or in 1930. That will affect



minds of the workmen, labourers and the general masses. At the present situation inspite of what we say they do not realise the situation. The youth movement has lost faith in the Government, because they do not find betterment of the condition of the people under British rule. The Government are content with sending out a Commission which all parties in India have boycotted. The situation demanded consideration of the larger principles of Reforms and not the kind of enquiry which the Commission is conducting now.

Proceeding Pandit Malaviya said: "There was a debate on the recommendations of the Sken Committee. I ask the Government how did they treat the recommendations. That is why the youths have lost faith in the British Government and I am sorry to say so. Would we not as Indians remind our youths of the spirit of Shivaji and Guru Govind Sing and train them to think of establishing Self-Govt. in India? Would you British people not respect us if we train them so? Would you not honour us if we create a feeling in the mind of every child that the existing system of Government is detrimental to our interest and try to enthuse in them the same spirit? I assure that youths of India have got more balanced mind and better judgment than youths of any other country. Their object is to see that a Government like that in Canada and Australia be established in India. There is a growing feeling in them to completely separate themselves from the British (Hear, hear). The armaments and military you have, will be of no avail except to kill some of them but that spirit in the youths is growing (Hear, hear). Why should we be lying under such humiliating conditions? Concluding Pt. Malaviya said "I cannot understand why the Government is so obstinate in putting this Bill on the Statute Book. Do they not realise that they will be stiffening our attitude towards the British by putting in such a measure? While we are agreed on the principle of the Bill why do they not agree to the question of evidence? Do they not realise that by passing this measure the situation will become worse? It is a matter of great regret that the Government should insist on their pound of flesh (Applause).

#### INDIAN LIMITATION ACT AMENDMENT.

After a recess of three days the Assembly met on the *11th FEBRUARY*.

At the outset Mr. Crear moved that the Bill further to amend the Indian Limitation Act, 1908 as passed by the Council of State be taken into consideration and be passed.

Sir B. L. Mitter, Law Member, in a maiden speech said in course of the statement of objects and reasons that the Civil Justice Committee recommended that it should be made clear that Articles 133 and 134 mean what they say viz. that limitation runs from the date of purchase or of transfer as the case may be and the date of obtaining possession is immaterial. The Committee further recommended that the Act should be amended so as to put Hindu and Muhammedan religious endowments on the same footing as other trust funds which definitely vest in the trustee. The Government of India came to the conclusion that in case of both articles, the period of limitation should run from the date when sale or transfer becomes known to the plaintiff, that the period in case of Article 133 should be reduced from twelve to three years and that Hindu, Muhammedan and Buddhist religions as well as charitable endowments should be included within the scope of both these articles as also of Section 16 of the Act. The Bill gave effect to these conclusions.

#### AN AMENDMENT.

Mr. Lalchand Navalrai moved an amendment that in Clause 3 (D) in the entry column 3 against the proposed Article 134—(B) after the word "transfer" the words "or when the transfer becomes known to the manager" be added.

Sir B. L. Mitter was afraid that the amendment was not acceptable to the Government. Mr. Jayakar also opposed the amendment.

Mr. Lalchand Navalrai then begged leave of the House to withdraw his amendment and leave was granted. The original motion was then carried.

#### INDIAN PATENTS AND DESIGNS ACT.

Sir B. N. Mitra then moved that the Bill further to amend the Indian Patents

and Designs Act 1911 for certain purposes be referred to a Select Committee consisting of Sir Purushottamdas Thakurdas, Mr. Alexander, Anwarul Azim, Lalchand Navalrai, Kumar Gangananda Singha, S. Lall, L. Graham and the mover and that the number of members whose presence shall be necessary to constitute the meeting of the Committee be four. The motion was carried.

#### TRADES DISPUTES BILL.

Sir Bhupendra Nath Mitra next moved that the Bill to make provision for investigation and settlement of Trade Disputes and for certain other purposes be referred to a Select Committee consisting of Sir Darcy Lindsay, Sir Purushottamdas Thakurdas, Messrs. Abdul Matin Choudhury, Anwarul Azim, T. B. Roy, M. K. Acharya, K. C. Roy, S. C. Mitra, Jogia, S. Lall, Seshu Iyengar, G. D. Bula, Sir Victor Sassoon, Dewan Chamanlal, Messrs. Fazl Rahimutullah, Ismail Khan and Jamandas Mehta.

Sir B. N. Mitra in moving the Bill said that the fundamental principle underlying the Bill was that trade dispute was not a matter for concern of the employers only, but concerned the community as a whole. Recent experiences of the past few years had brought home to all the gravity of the situation arising out of trade disputes. The main parts of the Bill consisted of three parts. The first relates to the establishment of tribunals for investigation and settlement of trade disputes. This part of the Bill is based generally on the British Industrial Courts Act of 1919 and its detailed provisions were adopted for the most part of the Bill from the clauses in that Act. The main difference was that where the British Act set up a Standing Industrial Court the Conciliation Boards which the Bill proposed to establish were intended to be appointed 'ad hoc' like the Courts of Inquiry in order to deal with particular disputes.

The second part of the Bill consisted of matter which related to public utility services. It made it a penal offence for the workers employed on monthly wages in public utility services to strike without previous notice and also provided heavier penalties for persons abetting such offence. It was because on principle that persons whose work was vital to the welfare of the community generally should not be entitled to enter into a strike before sufficient time had been given to examine the merits of their grievances and to explore the possibilities of arriving at a peaceful settlement. Provisions of somewhat similar type already existed in the Indian Post Office Act and in a number of Municipal Acts in India and the principle was one which was accepted in other countries.

The last part related to illegal strikes and lockouts. They are applicable only in case of strikes and lockouts which satisfied two conditions. In the first place, strike or lockout must have other objects than mere furtherance of trade dispute within the industry to which the strikers or employers belonged and in the second place a strike or lockout must be designed to coerce the Government either directly or inflicting hardship on the community. If these conditions were satisfied a strike or lockout must be illegal.

"It would be affectation on my part," said Sir Bhupendra Nath, "to say that the provisions of this Bill have been subjected to criticism. It has been subjected to severe criticism by the workers who say that we have been interfering with their rights. I take this opportunity to declare that it is not in the least the intention of the provisions of this Bill to strengthen its position against its own employees or any employees at all.

After a few more speeches from the non-official side the motion for reference of the Bill to a Select Committee with the inclusion of Mr. Jinnah's name was put to vote and carried without division. The House then adjourned.

#### HINDU LAW OF INHERITENCE.

On the 12th FEBRUARY Mr. Shanmukham Chetty moved that the amendments made by the Council of State in the Bill to alter the order in which certain heirs of Hindu male are entitled to succeed to his estate be taken into consideration. In moving the Bill Mr. Chetty said that there had been a tendency among the Hindu reformers to recognise the rights of inheritance of the female. The measure before the House, he said, did not seek to bring about any radical change, but

its scope was limited as it sought to recognise the claims of certain females who were nearer relatives. He hoped that the amendment made by the Council of State would be accepted with certain alterations.

Mr. Sidheswar Prasad SINGH moved an amendment that in sub-clause (2) of Clause 1 of the Bill as amended by the Council of State for words "of males not held in copercenary and not disposed of by will" the words "not held in copercenary and not disposed by will of the males dying after the passing of this Act" be substituted. He said that the clause was ambiguous and was likely to cause further litigation. Moreover, it would do injustice to the departed souls.

Mr. JAYAKAR opposed the amendment. He said that there was no necessity for such amendment as that amendment would only postpone the operation of the Bill. He added that he wanted to speak to those who were in favour of the principle of the Bill and who supported the amendment and asked them to be careful for this amendment would hamper progress of the Bill. He asked why the operation of the Bill should be postponed when it had come before the House with the approval of the Council of State. He then quoted several passages from the ex-Law Member Mullah's book on the law of inheritance and said that this Bill only sought to remedy the evil effects of the freak of nature i.e. son born to a daughter (because she is a woman) had to wait for 332 generations for property (laughter). He then traced the history of the Bill and said that this was an old Bill and had his approval.

Sir B. L. MITTER, Law Member, then spoke on his personal capacity as a lawyer and not as a Government Member, for the attitude of the Government on this Bill was one of complete neutrality.

Sir B. L. Mitter said that the intention of the Bill was to be gathered from the Bill itself and not from the proceedings of the Council of State. The whole controversy, he understood, was limited to such Estates which are in possession of limited owners. The question was asked whether the reversioners after the death of limited owners were to be protected or not. In that controversy the Government would not take any part. The controversy however did not go into the fundamentals of Hindu Law as the question was that nearer female relations were to be preferred to distant agnate relatives. As regards the intention of the origin of law, he quoted a Chief Justice of England who said that the devil himself knoweth not the mind of a man and thought that the Bill ought to be supported.

Pandit MALAVIYA was entirely opposed to the Bill. He said that the Hindu Law of succession was a personal law and the Government guaranteed that they would not interfere with them. It was not right on the part of the legislatures to alter that law. Other laws of succession might be more logical but the Hindu Law was sacred to every Hindu. Continuing Pandit Malaviya said that the matter did not receive full considerations when the Bill was first circulated in 1921. Hindus did not get any opportunity to express their opinion. At this stage the President asked the speaker to confine himself to the amendment.

Proceeding the speaker requested the non-Hindu members to abstain from voting. It would be an outrage on the sentiments of pious Hindus to alter the law as it related to "Gotraja" theory and offering of Pindas. A matter which had roots deep in religious beliefs should not be taken up or so lightly disposed. The President again asked the speaker to confine himself to the amendment.

Pandit Malaviya :—I bow to your decision, Sir, but I think when the third reading is not provided, members should be given an opportunity to have his full say. He then asked the Hindu members to record their protest.

The President : What could Hindu members do ?

Pandit Malaviya : They can speak against the measure so that it may be recorded in the official report and published in the press and the Governor-General-in-Council might take due notice of them.

He supported the amendment of Mr. Sidheswar Prasad Singh.

The amendment was then put to vote and was pressed to division with the

result that 14 voted for the amendment whereas 48 against it. The amendment was declared lost.

#### INLAND STEAM VESSELS ACT AMEND.

Mr. K. C. NEOGY moved that the Bill further to amend the Inland Steam Vessel Act 1917 be referred to a Select Committee consisting of Mr. Jamnadas Mehta, Sir George Rainy, Messrs. Sesha Iyengar, Gaya Prasad Singh, Anwarul Azim, Abdul Matin Chaudhury, S. N. Hazi, W. S. Lamb, Col. F. Crawford, Rai Bahadur Tarit Bhusan Roy, Gazanfar Ali Khan and the mover and the number of members whose presence should be necessary to constitute meeting of the Committee should be six.

In moving his Bill Mr. Neogy said that the main principles of the Bill were to aim the executive authority with the power to control the rates of fares against excessive demands. He sought to prove that the third-class fares in steamers were 50 per cent. higher than the third-class fares in Railway. He said that the freight rate had been increased by 50 p.c. and referred to a specific case where freight on certain commodity in Assam was increased ten times during the course of one year. The State Railways, he said, at one time used to own steamers but in course of time withdrew from the field leaving it to powerful companies and the requisite conditions were not imposed for the safety of public interests. In this connection, Mr. Neogy referred to the resolution passed yesterday in the Bengal Legislative Council asking for an elaborate enquiry into the working of the steamer services and hoped that the House would accept the principle of the Bill.

Sir George RAINY then explained the attitude of the Government towards the Bill. He said that the Government was not opposed to the Bill being referred to a Select Committee. What the final attitude of the Government on the Bill would be depended on the shape of the Bill as it emerged out of the Select Committee. He also said that the Government would have no sympathy with the Bill if the object of the Bill was to hinder and harass the progress of the existing shipping companies.

The motion for reference of the Bill to a Select Committee was put to vote and carried. The House then adjourned.

#### AMENDMENT OF STANDING ORDERS.

On the 13th FEBRUARY it was a pitched battle of brains that was fought on the floor of the Assembly when Mr. Rangaswami Iyengar moved several amendments to change the Standing Orders. The representatives of the people tried to snatch more power under the Standing Orders while the Bureaucracy contested every inch of the ground. The fight was really interesting to those who were closely following the development of Parliamentary form of Government in India.

By 50 votes to 46 the non-officials scored their first victory of the session when Mr. Iyengar's proposal that on official days when the Government business was light and the House would rise before 4 o'clock the President should be authorised to place non-official business for discussion was carried in spite of vehement opposition by the Treasury Benches. It may be mentioned here that out of 46 members who voted with the Government only three were Indian non-officials. But two other important proposals of Mr. Rangaswami Iyengar which tried to establish the right of the Assembly to criticise the official and public acts of the Governor-General and Governors and to reply to the utterances of the Viceroy were, however, defeated.

Mr. Rangaswami IYENGAR moved: "That the amendments to the Standing Orders as reported by the Select Committee be taken into consideration." The House after having taken it into consideration, Mr. Rangaswami Iyengar moved that amendments to the Standing Orders as reported by the Select Committee be passed. The amendments were then taken clause by clause.

**First Clause.** The first clause which was adopted as follows: In the Standing Order (4) for the words "all pending notices shall lapse and fresh notices must be given for the next session" the following shall be substituted namely (1) "All pen-

ding notices other than the notices of intention to move for leave to introduce a Bill shall lapse and a fresh notice must be given for the next session ; provided that a fresh notice shall be necessary of intention to move for leave to introduce any Bill in respect of which sanction has been granted under the Government of India Act, if sanction has ceased to be operative."

*Second Clause.* Mr. Rangaswami Iyengar then moved the second clause which ran : "For the Standing Order (6) following shall be substituted : "Meeting of the Assembly shall (subject to the direction of the President) ordinarily commence at 11 a.m."

In moving the amendment Mr. Iyengar said that by this the direction of the President has been substituted for the direction of the Governor-General. He was sure that it was not interference with the Executive authority and thought that the present provision was against Section 63 (d) sub-clause (2) according to which the Governor-General might fix the time and place of the session but not the hour of meeting or dispersal of the House. The motion was passed.

*Third Clause.* Much discussion took place with regard to the third clause which runs as follows :—"Standing Order and after that Sub-order, the following orders shall be added, namely : "The President may direct that in addition to the sitting on the days allotted for transaction of Government and non-official business set down for, but not disposed of on the day allotted therefor by the Governor-General and on such days business shall, unless the President otherwise directs, be transacted in order in which it was set down on the days allotted for it by the Governor-General, business originally set down for the earlier day having priority over the business originally set down for a later day.

"The President may direct that on any day on which Government business terminates earlier than 4 p. m., non-official business may be transacted in such an order as he may direct : provided that nothing in suborder 2) or suborder (3) shall be deemed to permit transaction of non-official business on the day not allotted therefor by the Governor-General if the Governor-General in Council withholds his consent thereto under rule (5)

In moving the amendment Mr. Iyengar referred to the minute of dissent and said that when there was responsible Government in this country Government should be enabled to bring official Bills in preference to private Bills but the position in this country was different as the Government was not responsible to the people. The business of this House could not be put on the same category as the British Cabinet which was responsible to Parliament having non-official majority. He hoped that the house irrespective of parties would support as the members were not mere registering machines but they must bring forth public matters before the House.

Mr. Crerar opposing said that no rule of the Standing Orders should be made inconsistent with the general intention of the orders. He thought that Legislative Rule (5) was exhaustive with regard to particular points with which it dealt. It would put the Government at an unfair disadvantage.

The division resulted in a defeat of the Government, voting being 50 for the amendment and 46 against it.

Mr. Rangaswami Iyengar moved an amendment to suborder (2) of the Standing Order 29 that "the following explanation shall be added, namely a member shall not, by reason only of his criticising official or public acts of the Governor-General or of any Governor be deemed to reflect upon the conduct of the Governor-General or such Governor within the meaning of this Standing Order."

#### MR. CRERAR'S OPPOSITION.

Mr. Crerar opposing said that they could not agree in the present state of the constitution where extraordinary powers were vested in the Governor-General and in the Governors personally, that the action of the Governor-General or a Governor apart from his Council, should be opened to criticism on the floor of the House. He also said that if criticism be directed against any authority that authority should be given an opportunity to give a reply. But the Governor-General

could not give any reply on the floor of the House. It would entirely be an ineffective method if those who had no shares in powers should be called upon to reply.

Mr. IYENGAR replying said that Mr. Crerar entirely misapprehended the scope of the explanation that he wanted to add. He was surprised to hear that by this amendment the responsibility of the Governor-General would be affected. "All that we seek to add," he said, "is to have a legitimate opportunity to express our views." As to the argument that the Governor-General could not reply, he held that plea was untenable as the Governor-General could get such an opportunity in the address which he generally gave in the open House. "It is we," he said, "who are not given an opportunity to give a reply to the observations which he makes in his address." The Governor-General, he said, could govern this country by sheer force of certificate even without the aid of the Executive Council. "It is only an opportunity of saying what we want," he concluded.

The amendment was pressed to a division which resulted in a victory for the Government. Votes for the amendment numbered 39 and against 42.

#### OTHER AMENDMENTS.

Mr. Rangaswami moved that in sub-order 3 of the Standing Order 32 for words "shall have the right of speaking," the following shall be substituted, namely, "may with the permission of the President speak."

The motion being opposed was carried. Two subsequent motions of Mr. Rangaswami were also carried without opposition. They are in suborder 2 of the standing order 70 the words "has been disallowed under rules" shall be substituted. In standing order 72 for words "is to be considered" words "is under considerations" shall be substituted.

#### DEMAND TO CRITICISE ADDRESS.

Mr. Rangaswami then moved that for Standing Order 74 the following should be substituted, namely "communications from the Assembly to the Governor-General on his address or message shall be made by a formal address through the President after the motion made and carried in the Assembly."

In moving the motion Mr. Rangaswami said that it was the general practice of the Governor-General to open a session of the Assembly and on that occasion to deliver a speech to the House in which the administrative policy of the Government was discussed and what they proposed to pursue in future was also outlined. The Governor-General in short lays down the programme of the Government. By providing an opportunity to the opposition to criticise his speech and bringing an amendment, an opportunity was provided to criticise the policy of the administration. A similar opportunity was provided to the British Parliament by way of providing an opportunity to criticise the King's speech.

Mr. CRERAR, Home Member, opposed the motion. He said that he could not improve upon the argument of the predecessor of his when on another occasion this subject was discussed on the floor of this house. If they agreed to this change the speech of the Governor-General might be subject to unrestricted debate in the House. This change was not insubstantial, or a mere clarification of the existing Standing Order. It was entirely a new departure which they must oppose. There was no analogy to the King's speech in the British Parliament. The King's speech was not written by His Majesty and it outlined the policy of his Ministers and it had nothing personal about it, and in criticising it the policy of the Ministers only was criticised. In the case of the Governor-General's speech it contained matter which were not always the opinion of his Council. It had much personal about it. If this change was made the Governor-General's speech might be reduced to a colourless, formless and much less living thing than it was at present.

After several other speeches the motion of Mr. Rangaswami was put to the vote and on the House dividing the motion was lost by 48 to 44 votes. The House then adjourned.

#### COMPULSORY PHYSICAL TRAINING.

On the 15th FEBRUARY the discussion on Dr. Moonje's resolution regarding

compulsory physical training for Indian boys was resumed, Kumar Rananjaya Singh supported it.

Col. CRAWFORD then moved the following amendment in substitution of the original resolution :—"This Assembly recommends to the Governor-General-in-Council that with a view to remove the defects in the character training of Indian youths as emphasised by the Skeen Committee, steps should be taken as early as possible to provide compulsory physical training, games and drill for Indian boys attending schools and colleges between the ages of 12 and 20 and to provide and encourage the use of miniature rifle ranges."

Mr. M. K. ACHARYA then moved the following amendment :—"This Assembly recommends to the Governor-General-in-Council that steps should be taken as early as possible to provide for compulsory physical training of Indian boys attending schools and colleges and also with a view to inculcate among them group discipline, initiative and capacity for leadership to provide for military drill, rifle shooting or other similar exercises for all boys between the ages of 16 and 20 years except those who may for good and sufficient reasons be exempted from the same by the school or college authorities concerned."

Dr. MOONJE replying to the debate said that he was thankful to the constructive suggestion made by Col. Crawford in his amendment. He then said that he was amused at the remarks of the Educational Secretary Mr. Bajpai the other day when he spoke on the resolution. The training he has received and the service he had put in the Government of India could not make him say better.

While Dr. Moonje was proceeding to criticise the speech of Mr. Bajpai the President said that he had only two more minutes. Dr. Moonje then said that as the subject was a large one, he could not finish his speech in two more minutes and that he was content with what he had said. He then resumed his seat.

Mr. BAJPAI, Educational Secretary, then followed Dr. Moonje. At the outset he referred to the sweeping indictment of the present system of education in India made by some members and said that the ideal of the Government was the production of husbandmen. One would rather hesitate to accept the statements contained in the oratory of Mr. Jayakar the other day regarding the present system of education. Mr. Bajpai then referred to the resolution of Dr. Moonje and the amendment of Col. Crawford.

At this stage Dr. Moonje said :—I am prepared to accept Col. Crawford's amendment (applause).

Mr. Bajpai said that the amendment of Col. Crawford was in strict conformity with the resolution of Dr. Moonje. The position of the Government in regard to the amendment was, said Mr. Bajpai, so far as physical training for Indian boys in schools and colleges was concerned, that they (Government of India) would suggest to local Governments to put in practice physical training for Indian boys in schools and colleges and ask them to report as often. He also said that the Government accepted the principle of military drill and military training and that they should be made compulsory in institutions but Mr. Bajpai also made it clear that the acceptance of the principle did not mean immediate introduction of it. With regard to rifle practice Mr. Bajpai said, in so far as rifle practice had not been made compulsory but only obligatory the Government accepted this principle also and would forward copies of the amendment with the resolution to local Governments and ask them to introduce the principle.

Mr. Acharya having withdrawn his amendment in favour of Col. Crawford's amendment, the latter was put to vote and declared carried.

#### ASSAULT ON LALA LAJPAT RAI.

*Your Government's hands are red with the blood of Lalaji.* With these words Pandit Dwarka Prosad Misra next moved his resolution which stated that Lala Lajpat Rai's death was, in the opinion of the House, hastened by the police assaults on him, that Earl Winterton's statement regarding this tragedy was insulting and the report of the Boyd Enquiry Committee was unreal and tried to justify and whitewash the crimes committed by the police.

To this resolution Munshi Iswar Saran moved an amendment demanding the appointment of a Committee consisting of Pandit Motilal Nehru, Pandit Madan Mohan Malaviya, Sir Purushottamdas Thakurdas, Sir Abdul Quayum, Md. Yakub and the mover to enquire into the matter.

The Hon. Mr. Crerar, putting forth the Government case, characterised the speeches of Pandit Madan Mohan Malaviya and Lala Hansraj, two eye-witnesses to the Lahore incident, as mere impressions and the entire non-official case as *political demonstration*. He refused to agree to the "victimisation of officials" for political reasons. It is, however, significant to note that Mr. Crerar had not a word of apology or regret in his whole speech for this tragic incident. The Home Member even went so far as to say that not even a *prima facie* case had been established to institute an enquiry.

This stubborn attitude of Mr. Crerar provoked the Party leaders. Pandit Motilal Nehru, Mr. Jayakar, Mr. Jinnah and Dewan Chamanlal clearly showed the immediate necessity of an open enquiry. The real issue, as Mr. Jinnah pointed out, was whether the police had acted lawfully in its assault on a lawful crowd.

Munshi Iswar Saran's amendment was, however, carried by 57 to 45 votes amidst non-official cheers. The only elected Indian who voted with the Government was Mr. A. H. Ghuznavi.

The following is the text of Pandit Dwarka Prosad Misra's resolution:—

"This Assembly recommends to the Governor-General-in-Council that he may be pleased to convey message from this Assembly to the Secretary of State for India and through him to His Majesty's Government that this House strongly resents the insulting reply of Earl Winterton, Under-Secretary of State for India given on 26th November, 1928, to the question from members of the Labour Party regarding the circumstances of Lala Lajpat Rai's death and that this House believes that the death of Lala Lajpat Rai was accelerated by the injury received at the hands of the police while leading the boycott procession on the arrival of the Simon Commission at Lahore and is of opinion that the enquiry conducted by the Boyd Committee was unreal and instituted deliberately to justify and whitewash the crimes committed by the Police."

The following is Munshi Iswar Saran's amendment. "That this Assembly recommends to the Governor-General-in-Council that he be pleased to appoint a Committee consisting of Pandit Motilal Nehru, Pt. Malaviya, Sir Purushottamdas Thakurdas, Sir Abdul Quayum, Maulavi Muhammad Yakub and the mover to enquire into the allegations which have been made regarding the assault on Lala Lajpat Rai, Leader of the Nationalist Party in the Assembly and its effect in causing or hastening his death and to issue instructions to the Committee to submit its report within one month of its appointment."

#### DISCUSSION OF PUBLIC ACCOUNTS.

On the 18th FEBRUARY an interesting constitutional point was raised in the Assembly when Sir George Schuster, Finance Member, moved demands for excessive grants. Mr. B. Das wanted to discuss the policy of the Government in not allowing the House to consider the report of the Public Accounts Committee before the House proceeded to consider demands for excess grants.

The Finance Member raised a point of order that the question did not arise.

Mr. B. Das said that last year a question was raised and they were told that the Statutory Commission would consider the question. But, Mr. Das said, they on that side of the House did not know what that outside body was doing and wondered why a day was not allotted for enabling the House to discuss the report of the Public Accounts Committee.

President Patel : Who wants it ?

Messrs. Das and Chetty : The House wants it.

Mr. Graham said that the House never asked for a day.

Mr. Rangaswamy Iyengar said that on the question whether the House was going to discuss the report of the Public Accounts Committee or not, Sir Basil Blackett was anxious that the House should discuss it. He did not unders-



tand why the Government was drawing red herring across the path of a fair discussion. He referred to a previous ruling of the President that the question of general policy could be discussed on the occasion of supplementary grants. Mr. Iyengar further said that the report could be discussed by way of a motion by the Finance Member, or if it be superfluous, they could raise a general debate.

The President suggested consultation with the Finance Member and see what he thought about it. Mr. Iyengar agreed and apparently awaited a reply. The Finance Member referred to the promise of Sir Basil and said that the Commission was visiting Delhi by the middle of next month and he wanted to discuss the matter with them. In the meantime he was prepared to receive representations on the matter but was not prepared to allot a day for discussion.

Mr. Shanmukham Chetty said that the Public Accounts Committee was constituted in virtue of the Government of India Act and he knew not if there was any difficulty in the way of allotting a specific day for the House to discuss its report. The Public Accounts Committee, he said, plays an important part in the administration of the country and the very fact of its reference in the Act enabled them to presume that the House should get an opportunity to discuss its report.

Mr. Aney thought the Finance Member had specific responsibility to allot a specific day for discussion of the report and said that otherwise rules would not be complied with.

Sir Purushottamdas Thakurdas referred to Mr. Graham's contention and said that it was the duty of the Government to allot a day.

Mr. Graham said that the Act did not provide for that.

Sir Purushottamdas Thakurdas said that Mr. Abdul Matin Chaudhury of his Party was a member of the Committee and he had clearly expressed his desire that the report ought to be discussed on the floor of the House. He and his party were strongly of opinion that there should be a day for discussion of the report, otherwise no useful purpose would be served by it.

*In giving his ruling* President PATEL said that the House should be grateful to Mr. Das for drawing the attention of the House to an important question. The President thought that the Public Accounts Committee was the creation of the House and so its report should be discussed on the floor of the House. The objection of the Finance Member against the procedure that was then going to be adopted did not apply to Mr. Das's contention as he wanted full discussion on the matter. "We should establish practice in this House", said the President, "by which the report of the Public Accounts Committee can be discussed fully". He referred to the practice in some provinces where the Finance Member first brought a motion for adopting the report and thought the House might as well adopt the practice. But the President thought that the Finance Member was not ready to meet the point and thought the Finance Member should be given time to consider and come out with his suggestion. The House, he thought, should not make this new departure in this session. "But I feel strongly," he concluded, "that we must adopt a healthy practice to enable the House to discuss the report of committees which are created by the House."

#### DEMANDS FOR EXCESS GRANTS.

Sir George Schuster then moved demands for excess grants in respect of stamps, interest on miscellaneous obligations, emigration, joint stock companies, miscellaneous etc. All demands were adopted without discussion.

Sir George Schuster then moved that a supplementary sum not exceeding Rs. 99,600 be granted to the Governor-General-in-Council to defray the charges that will come in course of payment during the year ending 31st March, 1929, in respect of customs. When this demand was moved Mr. N. C. Chunder pointed out that in the Standing Finance Committee a provision for Rs. 78,500 was made in respect of customs and asked where did this excess of about Rs. 21,000 come in.

Mr. Sanjiva Rao replied that this sum was not sufficient. It was found later by real appropriation and hence the sum was added. The grant was agreed to.

Sir George Schuster then moved that a supplementary sum not exceeding Rs. 75,000 be granted to the Governor-General-in-Council to defray the charges

that will come up in course of payment during the year ending 31st March 1929 in respect of salt. The demand was accepted.

The Finance Member then moved that a supplementary sum not exceeding Rs. 24,000 be granted to the Governor-General-in-Council to defray the charges that will come up in course of payment during the year ending 31st March 1929 in respect of stamps. The demand was passed.

The Finance Member then moved that a supplementary sum not exceeding Rs. 879,000 be granted to the Governor-General-in-Council to defray the charges that will come up in course of payment during the year ending 31st March 1929, in respect of Indian Posts and Telegraphs Department. The demand was allowed.

The Finance Member then moved for a supplementary demand of Rs. 21,47,000 in respect of interest on debt and reduction or avoidance of debt; Rs. 251,000 in respect of interest on miscellaneous obligations; Rs. 50,000 for legislative bodies; Rs. 8,000 for department of Health; Education and Lands; Rs. 8,000 for police; Rs. 45,000 for meteorology; Rs. 31,000 for medical services; Rs. 37,000 for Public Health; Rs. 9,000 for civil veterinary services; Rs. 19,000 for industries; Rs. 31,000 for emigration; Rs. 70,000 for Indian Stores Department; Rs. 777,000 for mint; Rs. 60,000 for Stationary and Printing which were agreed to by the House.

Sir George Schuster then moved that a supplementary sum not exceeding Rs. 5,89,000 be granted to the Governor-General-in-Council to defray the charges that will come in course of payment during the year ending 31st March 1929, under the head Miscellaneous.

Kumar Gangananda Singh moved an amendment that the demand be reduced by Rs. 302,000 (expenses for the auxiliary committee on the growth of education and Indian Central Committee of the Simon Commission).

The amendment was put to vote and was pressed to division which resulted in 47 voting for the amendment and 48 against it. The entire demand was carried.

Sir George Schuster then moved for the following demands which were adopted without any discussion—Rs. 466,000 in respect of refunds, Rs. 8,000 for North West Frontier Province, Rs. 17,000 for Beluchistan, Rs. 93,000 for Delhi, Rs. 1,000 for forest capital outlay, Rs. 476,000 for commuted value of pensions, Rs. 43,11,000 for loans and advance bearing interest. The House then adjourned.

### Railway Budget for 1929-30

On the 19th FEBRUARY the Railway Budget for 1929-30 was presented to the House by Sir George Rainy, the Railway Member. An important feature of the Railway Estimate is an increase of  $1\frac{1}{2}$  crores in the traffic receipts expected in 1928-29 over the figure of last year. The final result of 1928-29 is expected to be a gain of just under  $10\frac{3}{4}$  crores on commercial lines. Of this surplus  $1\frac{3}{4}$  crores will go to meet the loss on strategic lines. The General Revenues will receive 546 lacs and there will be left just under  $3\frac{1}{2}$  crores for the Railway Reserve.

The Board announce certain reductions in third class fares on the Eastern Bengal Railway and long-distance coal freights on all State-managed railways except Burma. Telescopic rate is introduced in third class passenger fares on the E. B. Ry., reducing fares for distances between 151 and 300 miles by a pie and for over 300 miles by 2 pies per mile.

The receipts in 1929-30 from commercial lines are estimated to be over  $107\frac{1}{4}$  crores or  $1\frac{1}{2}$  crores higher than in the current year.

Capital Expenditure during the current year is expected to amount to 30 crores including 4 crores for the purchase of the Burma Railways Company's interest in Burma railways, from Jan. 1, 1929. In 1929-30 the railways expect to spend  $26\frac{1}{2}$  crores on ordinary capital expenditure, of which  $8\frac{1}{2}$  is for construction of new lines and in addition 7 crores are required for the purchase of the Southern Punjab Railway from Jan. 1, 1930. It is expected that 1100 miles of new lines will be opened in 1928-29 and about 600 miles next year.

"The total receipts of commercial lines we put at Rs. 105½ crores which is nearly two crores higher than the receipts of the previous year. The total expenditure is estimated at Rs. 95 crores which is up by Rs. 3½ crores. But of this sum more than two crores is accounted for by an increase in our interest charges. The surplus of receipts over expenditure on commercial lines is 10½ crores against 2½ in 1927-28. Out of this surplus the loss on strategic lines absorbs Rs. 1½ crores and of the balance Rs. 5½ crores goes to general revenues under the operation of the convention and Rs. 3½ crores will be added to the reserve fund. Such is the financial position in which we face the coming year", said the Commerce Member introducing the Railway Budget for 1929-30.

#### FINANCIAL RESULTS OF 1927-28.

Regarding the financial results of 1927-28 the Commerce Member said : "When I submitted the budget for the current year to the house we anticipated that the surplus for 1927-28, that is the year then drawing to its close, on all lines would be a little over Rs. 11 crores.

"This estimate was very nearly realised, the actual surplus being about 24 lakhs less. Both receipts and expenditure were somewhat higher than was expected, but the differences were not important and do not call for detailed explanation."

#### REVISED ESTIMATES FOR 1928-29.

Regarding revised estimates for 1928-29 he said : "In our budget estimate of receipts for the current year we had to balance the normal growth of traffic against substantial reductions in rates and fares which we were making and the net results, we believed, would be a decrease of rather over half a crore in gross traffic receipts of commercial lines. Actually we have done rather better than our forecast and we now expect that receipts will exceed those of 1927-28 by about 1½ crores. This is more satisfactory since neither the industrial nor agricultural conditions of the year have been ideal from the railway point of view. The partial failure of monsoon in the Punjab and the United Provinces, unexpected and serious shortage of wheat crop of 1928 in the former province and prolonged stoppages in Bombay cotton mills and iron steel works at Jamshedpur were all unfavourable factors.

"Nevertheless traffic in almost all classes of commodities has risen and the quantity of goods transported seems likely to increase by nearly four per cent. For all classes of agricultural traffic for which separate figures are maintained, that is, grain and pulses, oilseeds and cotton, the loadings have been from five to 10 per cent higher than in the previous year and there has been appreciable, though smaller, increase of loadings of what are known as "miscellaneous smalls" and miscellaneous full wagons which can usually be taken as an index of the activity of general trade. The single exception is coal.

"Traffic variations in course of the year have shown a few features of interest. It may be useful to indicate how far reduction in rates and fares made last year have contributed to the increase in the traffic. Passenger earnings are down by Rs. 7 lakhs only as compared with the estimated decline of 21 lakhs and though the number passengers carried was less by four millions during the first seven months of the year passenger miles increased by 49 millions which means that the average journey travelled was longer. This is the effect which reduction in long distance third class fares might be expected to produce.

"In the budget estimates of the current year we anticipated that working expenses should be stationary at about 62½ crores. They are now expected to be about 2 crores higher and in excess of the actuals of 1927-28 by 1½ crores. About 3/5ths of this excess is due to abnormal causes. The payment of special gratuities to the staff dispensed with on reduction of establishment in workshops of South Indian and B. B. C. I. Railway Companies is responsible for 35 lakhs and further 46 lakhs of the excess is due to special adjustments in the accounts of the G. I. P. Railway. For the rest, the increase in working expense is the natural result of additional miles of line to be staffed and the larger volume of traffic carried."

#### RATES AND FARES.

Regarding rates and fares he said : "Last year it was my good fortune to announce important reductions in third class fares and in freight rates on various

commodities involving sacrifice of a revenue of about three crores in a full year. I was not sanguine enough to expect that I should be able on this occasion to announce a series of reductions on the same scale. But I should have been disappointed if the results of the year had made it impossible for us to do anything to assist trade. Actually our financial position seems to us strong enough to justify four measures which will, we hope, prove useful. Two of them are of minor importance and require only brief notice. In the first place there will be reductions in rates for forest produce, such as timber, fire-wood and charcoal on the E. B. and G. I. P. Railways and in the second place substantial reductions will be made on three of the State-managed railways in rates for fresh fruits and vegetables. After making allowance for the growth in traffic which is expected the net loss in earnings is put at rupees seven lakhs for those two proposals together. The remaining measures must be explained in greater detail.

"When long distance fares on three of the State-managed railways were reduced last year no change was made in third class fares on the E. B. Railway which remained at their present level of  $3\frac{1}{2}$  pies per mile for all distances. It has been decided to introduce on this railway the telescopic scale, the existing rate being retained for distances up to 150 miles, while for longer distances the rate will be reduced to  $2\frac{1}{2}$  pies per mile, from 151 to 300 miles and  $1\frac{1}{2}$  pies per mile for distances over 300 miles. It is believed that these reductions will stimulate passenger traffic appreciably and allowance being made for that, the loss in the earnings is estimated to be rupees five lakhs a year. I am glad that we have been able to bring the E. B. Railway into line with other State-managed railways in this respect.

#### REDUCTION IN RATES FOR COAL.

"Another important reduction is in rates for coal. The last reduction in our coal rates was made in 1926 and the results have been such as to encourage us to take another step in the same direction. On the E. I. Railway the tonnage carried for distances over 409 miles was 31 per cent. more in 1927-28 than it was two years earlier and the earning 33 per cent. more. It is a very significant fact that earnings on long distance public coal should show a greater increase than the tonnage, notwithstanding the reduction in charges, for it means that the average distance the coal was hauled must have increased substantially. The present rates for distances over 400 miles are calculated on the following telescopic scale, the rates being given in pies per maund per hundred in miles :—

15 pies for the first 200 miles. 7 pies for the next 300 miles. 6 pies for the portion of the journey in excess of 500 miles.

"The new scale which we are about to introduce makes no change in the rates for the first 200 miles, but reduces the rate to 6 pies per 100 miles from 201 to 400 miles and to 5 pies per 100 miles for a portion of the journey in excess of 400 miles. I have had new rates compared with rates charged in 1913-14 in a number of centres and find that the increase over pre-war rates varies from 8 per cent. in case of Amritsar and Karachi to 9 per cent. in case of Delhi and Ahmedabad, 10 per cent in case of Bombay and Madras and 12 per cent. in case of Cawnpore. I have every hope that the reductions will stimulate traffic in long distance coal and that it will do something to promote the development of industries in areas remote from coal fields. Reduction in gross earnings due to lower rate for coal is estimated to be rupees 53 lakhs. But there will be a substantial set-off owing to the saving freight paid by the railways for conveyance of coal they use."

#### BUDGET FOR 1929-30.

Regarding the Budget estimate for 1929-30 the Commerce Member said : "Our total receipts we put at Rs. 107 and one-third crores, a figure which is higher by Rs. 159 lakhs than the total receipts of the current year. The normal growth of traffic, given a normal monsoon, should give us an increase of Rs. 120 lakhs after allowance is made for the loss of Rs. 65 lakhs owing to reduction in rates and fares. The interest on balances of the Reserve and depreciation funds should go up by Rs. 20 lakhs and the Government share of profits from

subsidised companies by rupees 19 lakhs. The last item is a windfall and arises from 1st January, 1900. We shall receive our share of surplus profits for nine months in 1929-30, instead of in 1930-31.

"On the expenditure side working expenses are taken at Rs. 65 crores which is half a crore in excess of the figure for the current year. This excess is more than accounted for by the increase of Rs. 58 lakhs in the allocation for depreciation which under the rules of the fund automatically increases with the growth of the capital at charge. The estimate also includes a special provision of Rs. 28 lakhs, the reason for which I can more conveniently explain when I have disposed of purely financial questions. Apart from this special provision, the estimate under Administration would be less by Rs. 10 lakhs and under Operation by Rs. 5 lakhs than revised estimates for the current year; while under repairs and maintenance we are budgeting for a decrease of Rs. 40 lakhs, partly because special debits to the revenue on the G. I. P. Railway will not recur and partly because we expect a saving of Rs. 17 lakhs in the cost of repairing the rolling stock. The interest charges go up by Rs. 97 lakhs owing to increase in capital at charge, while surplus profits paid to Indian States and Railway Companies are down by Rs. 51 lakhs owing to purchase of the Burma Railways. The final result is that we expect a surplus of Rs. 11½ crores against Rs. 10½ crores in 1928-29. Of this surplus Rs. 1¼ crores is required to meet the loss on strategic railways and the balance of Rs. 6½ crores will go to general revenues leaving Rs. 3¼ crores to be added to the Reserve Fund."

Regarding capital expenditure the Commerce Member said: "We expect to spend during the current year Rs. 28 crores for capital purposes including Rs. 4 crores as the purchase price of the Burma Railways which were taken over by the State on 1st January last. The figure of Rs. 28 crores was the net figure arrived at after deducting Rs. 1¼ crores as probable savings from total allotments to various railways. Our present anticipation is that the actual expenditure will be projects for new capital expenditure and in the coming year deduction from capital allotment on the ground of probable savings has been cut down to Rs. 65 lakhs. The expedient of over-allotment coupled with a lumpsum deduction for probable savings was introduced after the war owing to the inability of the railways to spend anything like sums which agents believe they could spend at the beginning of each year. It has now, I think, very nearly outlived its usefulness and is likely to play a very subordinate part in future budgets. The excess over the budget figure is in part accounted for by more rapid progress in the completion of new lines under construction in 1927-28. We expected to open 900 miles of new lines, but actually completed only 438 miles. This year our estimate of the new lines to be opened was 900 miles whereas the actual figure promises to be 1100 miles. The most important lines opened this year are perhaps the Daltonganj-Barkakhana section of the Central Indian Coalfields Railways, Kangra Valley line on the N. W. R. and the Dindigul-Pollachi line on the S. I. Ry.

"In the next year's budget we are providing Rs. 33½ crores for capital expenditure including allotment of rupees seven crores for the purchase of the Southern Punjab Railway. The acquisition of this line is not only very desirable on administrative grounds, but will, we believe, increase our net revenue by Rs. 47 lakhs. The estimated expenditure for normal capital purposes is Rs. 26½ crores which is about the same amount as we shall spend in the current year. The provision for open line works is a little over Rs. 18 crores from the depreciation fund. The full details of work which is going on are given in the Railway Board's memo, and I cannot attempt to summarise its contents now. The only new work of major importance to be commenced is remodelling of the Jamalpur workshop on the E. I. Railway, while of the works commenced in previous years the most important which are likely to be completed in 1929-30 are construction of new workshops for the South Indian Railway at Trichinopoly and in Bombay, Baroda and Central India Railway at Dohad, a new central station of the latter railway in Bombay and electrification of the Ghat section of the Great Indian Peninsula Railway between Kalyan and Poona.

Under the head of new construction the allotment for 1929-30 is Rs. 8 and one-third crores. A much greater part of this sum will be devoted to the completion of the new lines already under construction and the allotment for new lines to be commenced during the year has been kept down to Rs. 35 lakhs. This policy of concentrating on a limited number of new lines and carrying them to completion as rapidly as possible is a natural corollary of the new situation created by the ability of the railways to spend up to their capital allotments, for there is no longer the same necessity to have a large number of projects in hand simultaneously. The disadvantage of dissipation of energy over a number of projects is that it means slow construction and prolonged delay before return is obtained on capital expended. If, on the other hand, the energies of Railway Administrations are concentrated on a limited number of works the commitments are reduced and the situation is far more easily controlled if for any reason a reduction of expenditure on new construction becomes necessary. It is expected that about 600 miles of new lines will be opened during 1929-30, leaving 2,100 miles under construction at the end of the year. The lines likely to be opened include 83 miles of Rangoon-Bangkok line which is to connect the C. P. with a new port at Vientianapattam and about 157 miles of line under construction by the Burma Railways. Of the entirely new projects the most important is Dacca-Aracha line in East Bengal which is expected to cost about Rs. two crores. A sum of Rs. 27 lakhs has been allotted for the commencement of its line in the estimates for the new year.

What I have said about capital expenditure concludes my annual review of the Railway Finance. The year has been reasonably prosperous from the railway point of view, but there have been a few features calling for special comment, either in respect of revenue, or of expenditure. The Railway Board have spared no effort to promote increased economy and efficiency in the railway management, but in doing so they have proceeded on lines of policy laid down in previous years and there are no novel measures calling for special comment here. In these circumstances I have not thought it necessary to enter into great detail, but have been content to notice briefly the outstanding points of interest. There are, however, certain features in the budget for the next year to which I have not yet referred but which are nevertheless of great importance. To these I now turn.

#### LOWER-PAID EMPLOYEES.

I have spoken of other interests which the Government is equally bound to safeguard and I have done so deliberately when we are dealing with schemes for improved conditions on Indian Railways and indeed with expenditure of any kind which does not increase the earning power. We have constantly to remember whose money it is we are spending. All such expenditure must be met sooner or later from rates and fares and these must rise and fall according to the expenditure incurred. But when fares are raised almost nine tenths of the burden falls on the shoulders of the third class passengers and that means on the shoulders of those who just by any standard are for the most part poor men. If the rates are raised the costs of industries are increased, the earnings of the merchants are diminished, for the volume of trade tends to decline the price which the cultivator receives, for his crop decreases and the consumer everywhere has to pay higher prices for what he buys. Sooner or later the greater part of the cost will be paid by those whose conditions are in no respect superior to those of railway workmen. I do not urge this as a reason why we should hold our hands and abandon any attempt to make things easier for the railway staff, but I do urge it as a reason why we should proceed step by step and not by sudden and radical changes, remembering always that we have to balance need for improving the standard of living of railway employees against the cost of dearer transport to the people of India as a whole.

The work we proposed to do is this. We shall set on foot a systematic examination of service conditions of our lower-paid employees in order to ascertain what are the measures which are most urgently called for in order to bring about improvement that will cover not only rates of pay and wages but also reductions of working hours which would of course involve employment of additional staff,

extension of Provident Fund, benefits to classes who do not at present enjoy them, improvements in housing conditions and so on. We have had some preliminary consultations with the Agents of Railways on the subject but it is certain that the investigations to be made will take time and we do not anticipate that schemes likely to be sanctioned in 1929-30 will cost more than 50 lakhs in a full year and, of course, expenditure in the first year will be smaller on that basis. We have included in the budget a sum of 25 lakhs (10 lakhs under administration and 15 lakhs under operation) and we have also provided a sum of Rs. 30 lakhs under capital for building of additional quarters where they are found necessary. These sums are merely our estimate.

#### RAILWAY BOARD

What I have said leads up to what in my view is the most important proposal included in the present budget, I mean the addition of a new member to the Railway Board. The majority of the Standing Finance Committee found themselves unable to approve this proposal and for this reason it will be desirable, I think, that I should deal with it at length. It is a proposal to which I attach the highest importance. It will be desirable, I think, that I should at the outset state briefly the existing organisation of the Board which it is proposed to modify apart from the Financial Commissioner who has a definite sphere of his own. The Railway Board consists of three persons, one of whom, the Chief Commissioner, is concerned with every aspect of Railway administration and is the recognised adviser of Government on all railway questions which may come up for discussion. The division of responsibility between the other two members is roughly indicated by names by which they are usually described, namely, the Member Technical and the Member General. The Technical Member is necessarily occupied to a large extent with technical and engineering problems and in such matters if the work increases it is at present comparatively easy to provide the assistance needed without increasing the number of the Board. The position of the Member General is very different. The duties of the General Member are not only heavy but also extremely multifarious and it is the latter point on which I would lay special stress. He must, on commercial side, pay particular regard to the interests of railway customers and his main anxiety must be to keep down costs so that rates and fares may be kept at a level which will attract a maximum volume of traffic, but if the staff questions are approached solely from that angle, there must be the danger that other interests for which the Railway Board is equally responsible may receive inadequate attention or that factors not directly commercial may be given insufficient weight. Since as I have said the railways exist for the conveyance of goods and passengers, it is essential that one of the members of the Board should be expert in traffic and in commercial operations and the selection for the appointment of the General Member must be regulated accordingly, but the qualifications of a good commercial manager are not necessarily those which are likely to fit an officer to deal with labour questions and indeed in so far as his interest is engaged mainly in commercial problems, he may be unfitted to handle questions in which due allowance must always be made for the human factor. Hence the conclusion at which the Government of India arrived was that the General Member should be set free to devote his whole time to those matters which are his primary concern, namely, transportation and commercial management of railways, and that a new member must be added to the Board who would be specially charged with the responsibility for all establishment questions and for the welfare of labour and of the staff generally. They considered whether it might not suffice in the first instance to appoint additional directors to the staff of the Railway Board but they came quite definitely and deliberately to the conclusion that this would not suffice and that if important interests were not to suffer it was necessary, first that the commercial management of the railways should engage the whole time and attention of one Member and that similarly the establishment and labour questions should have a Member of their own.

Sir George Rainy then explained how on the establishment side too need for a full time member was equally apparent and said :—“I do not hesitate to say that if we had in the past a member of the Board who could give his whole time to the staff questions we should have solved our difficulties at least eighteen months ago. It is in the belief that the appointment of an additional member of the Railway Board is the best means towards effective and speedy attainment of both objects, viz. to provide cheapest possible transport to meet the needs of Agriculture, Industry and Commerce and to secure reasonable standard of life for the great body of Indian Railway servants whose duty it is to work the railways.” This finished the Railway Budget and the House adjourned.

#### BILL TO ABOLISH DEFERRED REBATES.

On the 20th FEBRUARY Mr. Haji moved that the Bill to provide for the abolition of deferred rebates in the coasting trade of India be referred to a Select Committee. The Government had only 42 votes and lost by 10.

Mr. Haji in course of a lengthy speech remarked that the present Bill was complementary to his Coastal Reservation Bill. While the latter would keep shipping earnings in India, the Deferred Rebates Abolition Bill would ensure fair distribution of shipping business among a number of Indian Shipping Companies once the coastal trade is reserved. But the present Bill was not contingent upon the passing of the other Bill.

#### CR. P. C. AMENDMENT BILL.

Pandit Thakurdas Bhargava then moved that the Bill further to amend the Code of Criminal Procedure 1898 (Amendment of Section 552) be circulated for the purpose of eliciting opinion thereon. Stating the objects and reasons, the Pandit said that the present Section 552 was enacted to provide protection for women and female children of tender age from unlawful detention and subsequent safe custody for female children whose guardians were alive. This provision is satisfactory so far as it goes, but it is clearly incomplete. It does not contemplate the cases of orphans of either sex who have no guardians nor does it provide for cases in which minors come before courts in ways other than rescue from unlawful detention. Many orphanage societies exist in the country whose object is the protection of orphans and foundlings. There is no reason why courts should not take advantage of the existence of such societies for the protection of children. At present there is no provision in the Criminal Procedure Code to meet such contingencies. This Bill, the speaker said, intends to make provisions relating to the minors more comprehensive and complete.

The motion was accepted and the House adjourned.

#### Debate on Railway Budget.

On the 21st FEBRUARY general discussion on the Railway budget was proceeded with. The debate began with the weighty observations of Sir Purushottamdas which were particularly uncomfortable to European benches as they exposed the 19 per cent dividends of B. N. W. Railway. Mr. Shanmukham Chetty created a sensation by showing that at Madras the European mill was paying down to Madras one-third of the rate on yarn compared with Indian mills at Coimbatore though the distance between Coimbatore and Madras was smaller. Mr. Jamnadas Mehta's speech made a terrible indictment against the Board's administration and wastefulness and came with a special force from one who in the matter of railway surpluses takes the view of the Railway Board that general revenues should not draw from railway surpluses and that transport should be taxed the least consistent with its own legitimate charges. As regards monopoly of services by Anglo-Indians in E. B. Ry. Pandit Hridayanath Kunzru drove the Commerce Member into a corner and Sir George Rainy, who otherwise stuck to his guns brilliantly, had to admit that the Agent of E. B. Railway had issued a memorandum which meant the continuance of monopoly of the Subordinate Railway Services by Anglo-Indians and promised to put the matter right on all railways. Sir George Rainy won his best applause when he gave the unqualified pledge to Pandit Kunzru that salaries of all teachers in railway schools would henceforth be raised to the level of those in Government institutions.



As is normal with the Government, European representatives and spokesmen of the Associated Chamber of Commerce were assured by Sir George that oil freights reduction would be considered at once. But perhaps the sensation came at the end when Sir George Rany made the announcement that the new Labour Member would be Mr. Hayman which one member of the Assembly interpreted as meaning that though Mr. P. R. Rau is to be appointed the officiating Financial Commissioner there is no chance of Mr. Rau or any other Indian becoming for some years a permanent member of the Railway Board as two officers of the Audit Accounts Service cannot be admitted to the Board.

On the 23rd FEBRUARY the House re-assembled after a day's recess to discuss the railway budget. At the outset Mr. Jamnadas Mehta moved his motion that the Railway Member in asking the House to pass the grant for the creation of the post of an additional Member on the Railway Board was attempting unconsciously to mislead the House. Formerly a great deal of time was occupied by reference of the Agents to the Railway Board and of the Railway Board to the Government of India and the Secretary of State for India. The Acworth Committee enquired into the matter and recommended the delegation of power which would do away with much unnecessary delay. This had the effect of clogging the machinery and the Railway Board failed to do proper justice to the question of policy and managing railway lines on strict commercial lines.

Sir Clement Hindlay, who was formerly the Chief Commissioner of Railway Board was afterwards entrusted with the task of making definite recommendations for the reconstruction of the Railway Board and he accepted most of the recommendations of the Acworth Committee. He also recommended delegation of power which would allow the Board to devote more time to the question of policy and making the running of railway lines a commercial proposition. In 1925 the Financial Commissioner of Railways in his review of the administration stated that the question of reducing the cost of railway administration was receiving the attention of the Board. In that year several posts were kept in abeyance on the ground of economy.

Having regard to all this, the speaker said, Government have not absolutely made any case for increasing the cost of railway administration. When this matter was put before the Standing Finance Committee of Railways, they told the Financial Commissioner that if such a post was to be created, they ought to get the sanction of the House beforehand by bringing the matter in the shape of a resolution, but their advice was not heeded to. Now they wanted to create this post and they quoted the article of Geneva and the Washington Convention. The Government the other day in order to gain support for this proposal dangled before the House the post and announced whom they were going to appoint.

Proceeding Mr. Mehta said that there was no necessity for this appointment. The duties which were sought to be entrusted to the new Member could very well be carried by the Directors of Establishment and Traffic who were highly paid experienced officials under the supervision of the Chief Commissioner of the General Member. "There is absolutely no case made out for this post. As for Indianisation, it is the birth right of Indians to become members of the Railway Board and administer the railways of their own country from which they have been kept out on preposterous grounds. Mr. Mehta continuing said:—"The Europeans can find a place on the Board only on exceptional cases. As for the appointment of Mr. Hayman they knew he was a competent officer but his life has been spent in audit and accounts service and he had no first-hand experience of labour problem." Concluding Mr. Mehta said that this was a piece of jobbery to which the House could not accord its sanction.

Sir George Rany replying to the debate said that sometimes in the House speakers from the opposite benches levelled attacks the character of which he found difficult to understand and sometimes attacks had put him into difficulties. He referred to the statement of Mr. Jayakar that he

was told in the Standing Finance Committee that nine-tenths of the work of the new member on the Railway Board was taken up by establishment and only one-tenth by labour questions and said that nine-tenth of the work also included labour questions and one-tenth transportation. Referring to the inability of Sir Purushottamdas Thakurdas to understand the distinction between officials of State-managed Railways and Company-managed Railways, Sir George Rainy said that at the time of taking over Company-managed Railways appointments of higher officials were made by the Secretary of State in Council.

Proceeding Sir George Rainy said that it was a peculiar fashion of this House to challenge any proposals put forward by the Government. There was a good deal more to be said in favour of the new member of the Railway Board. Mr. Mehta had cited the authority of Mr. Clement Hindley but Sir George Rainy thought that the Hindley memorandum was not the last word on the Railway administration. He did not admit that the question could be settled by any authority. He further said that conditions had since then changed and labour changes since 1922-23 were forcing new issues requiring deeper study of the problem to meet the new situation. Sir George Rainy had no hope to convince Mr. Mehta whose ignorance he thought was invincible though he and the Railway Board admired his enthusiasm for the study of the Railway problem.

Referring to the suggestion of Sir Purushottamdas Thakurdas to decentralise the administration Sir George Rainy contended, with reference to two big branches, namely, rates and fares and the establishment, that various commercial bodies had requested him to promote the extension of through booking and said that the extent of decentralisation could not be accepted. The introduction of uniformity, Sir George Rainy said, was inconsistent with the conception of decentralisation, nor did he think that decentralisation was possible in dealing with labour questions. He admitted that "we cannot see our way fully" but had a very good reason to note that if concession was given in a particular railway the same demand would be put forward by men of the same rank in other railways.

Referring to Mr. Aney who said that the Government was duplicating the machinery for dealing with labour question which was already under the charge of Commerce and Industries Member, he said that precisely for being in closer touch with labour questions the Board should have their own officials. Sir George contended that Labour problem could not be approached merely from the point of pound, shilling and pence.

Referring to the suggestions of Sir Purushottamdas better than whom, he said, no one had a right to speak on Railway matters, Sir George Rainy said that the organisation which Sir Purushottamdas had in his mind differed much from the existing organisation. He was ready to admit that the Board should consist of experts but said at the present it was not formed on that principle. It was of the nature of an executive committee. He would not object to any reformation but the proper remedy of the present difficulties was the addition of a new member. In that he was not proposing any radical departure from the present scheme. He did not agree with Mr. Jayakar that there was any danger of creating more and more new members. Assuming that the proper ideal was to take a bird's eye-view and not to look into details he said that the new appointment suggested precisely that view. As to the suggestion for giving the portfolio to the Chief Commissioner, Sir George Rainy contended that it would be a serious departure since 1922-23. After the Atworth Committee report was published the Chief Commissioner was regarded as an expert adviser and the Government of India was to be guided by his advice. He could overrule his colleagues. So in his opinion the Chief Commissioner should not be given any portfolio. Continuing Sir George Rainy said that he understood the desire to see Indians appointed on the Board but he desired one to be appointed on merit.

At this stage Pt. Malaviya asked the Hon'ble Member to tell them what were the tests and to agree to a Committee of non-officials and officials challenging that Indians would not be found lacking in any qualification. Sir George Rainy said that he could not give any undertaking.

Pt. Malaviya—Public opinion was not taken into consideration.

Sir George Rany confessed that he was not practised much in making good speeches.

President—The Hon'ble Member was not bound to give way (laughter).

Concluding Sir George Rany said he was sorry that an unfair motive had been attributed with regard to the new appointment. As regards the fulfilment of obligations he thought the Government was justified to wait a few years and trusted that no consideration of that kind would influence the members in voting against the demand.

Mr. Mehta's motion was then put to vote and pressed to a division which resulted in 43 voting for the motion and 53 against it. Thus Mr Mehta's cut was dropped and the entire demand was carried. The Assembly then adjourned.

#### REDUCTION OF FARES.

On the 25th FEBRUARY after question time Kumari Gangamand Sinha moved that the demand under head "Railway Board" be reduced by Rs 64,000 as a protest against the policy of not reducing rates and fares for short distance. He said that the Railway was a national industry so to say and the profits ought to be shared by the people. The majority of the people travelled by third class for short distance and the profit ought to be distributed among them in the shape of reduced fares and rates. Third class passengers, said the speaker, pay nine tenth of the revenue of the passenger traffic, but they suffer most. Concluding, Kumari Gangamand Sinha again suggested that the surplus should be spent in relieving these passengers.

In reply Sir George Rany said that the Government would consider the possibility of reducing fares and informed the House that as a result of high rates first and second class passengers travel by lower class. The motion of cut was then put and negatived.

#### RACIAL DISCRIMINATION IN RAILWAYS

Mr. Ranga Iyer moved that the demand under the head "Railway Board" be reduced by Rs. 10,000 as a mark of protest of the Assembly against discrimination in the subordinate establishment on the railways.

Mr. Iyer said that the attention of the House had been drawn by the memorandum submitted by the Agent of the E. B. Ry, in which it was urged that the Anglo-Indians' share in services at present in the railway should not be disturbed. He wanted the Railway Board and through them the Government of India to dissociate themselves from such scandalous claim. Owing to this policy of discrimination an overwhelming share of services both on higher and lower grade were enjoyed by Europeans and Anglo-Indians, while the children of the soil came in for only niggardly share.

Finally, Mr. Ranga Iyer asked when Clergymen were given passes over the Railways to minister to the religious needs of Christian employees, why not the same facilities be extended to the Hindu priests and Moslem Mullahs?

Replying to the debate Sir George Rany said that he was not in a position to reply to matters referred to by Mr. Goswami without seeing what the position was. As to Mr. Ranga Iyer's charge of discrimination with regard to housing and medical relief, Sir George Rany admitted that there were some but informed the House that after receiving reports from the Agents on 15th January a circular was issued on the 21st to the effect that those differences should be eliminated. It might be hastened in consideration of the sitting of the Assembly (laughter). The members, he thought, would be gratified to learn that the question being raised from year to year, had made the Railway Board to think over the matter and to expedite it. Sir George Rany, however, did not think that the Government was responsible for what was said in the memorandum of the Anglo-Indian community submitted to the Commission, whose existence was, he was glad to note, recognised. He did not think there was any discrimination in the matter of allowances as higher officers were paid allowances at higher rate.

Sir George Rany again referred to the question of fitness and thought

that any sudden change in the method of recruitment might dislocate the economic position of the Anglo-Indian community. He did not see any necessity for appointing a committee and thought all differences could not be eliminated in a day. He, however, admitted that annual debate caused a rapid progress in the work of elimination of racial discrimination.

The motion for cut was then put and the House divided resulting in 37 voting for the motion and 45 against it. The motion was lost.

#### FINES FUND.

Pandit Hridaynath Kunzru moved that the demand under head the "Railway Board" be reduced by Rs. 10,000 as a protest against the manner in which the Fines Fund was utilised. He said this Fines Fund was built upon the fines of Railway employees and he wanted to know in what manner this fund was disposed of.

Mr. A. A. L. Parsons said that it was not good to abolish fines altogether and that the money collected by way of fines was disposed of in the manner in which Mr. Joshi proposed to the Railway Board, i.e. spending it to the equipment of the Benefit Staff fund which proposed to spend the amount for recreation and for education of the Railway employees. Mr. Kunzru then withdrew his motion.

#### PURCHASE OF STORES.

Pandit Kunzru then moved as protest against the present method of purchase of stores that demand under head "Railway Board" be reduced by Rs. 10,000. In moving the cut Pandit Kunzru referred to the arguments advanced against the policy of the year. "Situated as we are," said he, "we cannot compel the Government to be reasonable, but we can press our argument from year to year." Though some changes had been made Pandit Kunzru maintained that the main grievances still remained and urged for centralisation in the matter of purchase of stores. The Pandit said he understood that by adopting centralisation in the matter of purchase of timber and standardisation the Government had shown appreciation of centralisation and asked why it should not be extended to other and more important departments. He thought no owner of a number of mills would allow the managers of different mills to make separate purchases as that would be uneconomic and hoped that the Railway Board would accept the principle in the interest of economy and indigenous industry. He hoped Sir George Rany would not continue in his unreasonable attitude.

The Hon. Sir George Rany opposed Pt. Kunzru's motion. He said that centralisation of purchases meant establishment of a Central Office which meant increase in the work of the Railway Board and he would have come again to the Assembly for another member on the Railway Board to look after the purchase department (laughter). He also said that the system of purchase by rupee tenders, was being introduced and that it would be far better to advance step by step than to jump at once. For the present he said it was not advisable to centralise purchase. Sir George then told Mr. Nilkanta Das that the value of purchases of stores in India was steadily increasing and that there were strict orders that purchases should be made from cheap quarters.

Pandit Kunzru's motion was then put to the vote and rejected.

#### ILL TREATMENT TO PILGRIMS

Pandit Kunzru then moved that the demand under head Railway Board be reduced by Rs. 10,000 to protest against the treatment to pilgrim traffic. He admitted that methods of dealing with pilgrim traffic by the railways had of late considerably improved, yet he wanted to draw the attention of the Railway Board beforehand to the great festival that was soon to be held in Allahabad so that they might make good arrangements. He also suggested that the Railway authorities should consult social agencies in Allahabad before they begin to make arrangements. Continuing Pandit Kunzru drew the attention of the Railway Member to the ill-treatment to which pilgrims who had been to Kurushketra during the last solar eclipse were put to by the Railway police in the railway compound. The result of the ill-treatment had diversely reflected on the railway administration. He suggested that

the Railway Member in consultation with the local government should take proper steps to provide pilgrims with all convenience.

Mr. A. A. I. Parsons said he was grateful to Pandit Kunzru's remarks and added that in Allahabad arrangements had already been made for the convenience of pilgrims. He further said that he could not accept Pt. Kunzru's suggestion to make arrangements in consultation with the local Government.

Pandit Kunzru then was given leave to withdraw his motion. The Assembly then adjourned.

#### GRIEVANCES OF THIRD CLASS PASSENGERS.

On the 20th FEBRUARY Mr. Dadaswami Iyengar, in a motion for a token cut, initiated a debate on the grievances of third class passengers. He said that the Government claimed to itself the position of the trustee of the masses, but their treatment of the third class passengers showed nothing but breach of trust. He urged that raised platforms be provided wherever necessary and complained of harassment of third class passengers through the checking of tickets and luggage at the destination. He urged for uniformity and reduction in the rates for third class fares and elimination of overcrowding by the provision of more rolling stock. The mover also mentioned the increasing percentage of mortality due of accidents on Indian railways.

The cut was rejected by 37 votes against 42.

#### TRAINING FOR SUPERIOR SERVICES

Mr. B. Das moved a token cut to draw attention to the principle of training of technical and traffic probationers for superior railway appointments and wanted to know if the Government fulfilled their obligation to recruit for 75 per cent. of the posts in India and 25 per cent in England. His whole object in raising the debate, was to know if the Government provided facilities to train a sufficient number of Indians to enable them to fill up 75 per cent of the appointments.

His contention was that the training to-day provided very little opportunities for Indians. India required thousands of engineers to manage railway and other industries, but the Government were running railways only as a transportation agency for profit and not also as training ground for Indian youngmen. They should adopt Henry Ford's ways in their shops and create a technical atmosphere in their training institutions. Mr. Das urged for a committee to enquire into the methods of engineering training in India as also how best to adopt the American and German ways in this country.

The House rejected the motion without division.

#### RECRUITMENT TO ACCOUNTS SERVICE.

Mr. B. Das then moved a further cut to draw attention to the recruitment of the staff to the railway accountancy service. He alleged jobbery in the accounts office where Anglo-Indians were favoured. He urged that every appointment should be filled through the Public Service Commission.

The cut was lost without division. The Assembly then adjourned.

#### LACK OF GOVT CONTROL OVER B. N. R.

On the 27th FEBRUARY the control that is being exercised by the Railway Board over the Bengal Nagpur Railway was discussed on the motion of Mr. B. Das. He felt that there was little or no Government control over company-managed railways. In the case of the B. N. Railway, though only a sum of Rs. 1,00,00,000 out of the total capital was subscribed in England and the balance was contributed by the Government of India, they did not even know if the 75 per cent. quota of Indian recruitment was complied with. The mover held that Government could, if they wished, exercise adequate control over company-managed railways.

The motion was negatived.

#### SEPARATE SESSION FOR RAILWAY BUDGET.

The control that is exercised over the railway administration by the Central Legislature was next discussed on a cut moved by Mr. Ranga Iyer, who complained that the number of days allotted for the discussion of the Railway Budget was insufficient and preferred a separate session if possible in Simla. Mr. Ranga Iyer also complained that the proceedings of the Central Advisory Council

were not available to members of the Assembly, while the proceedings of the local advisory councils were placed in the library.

Mr. Ranga Iyer's cut was rejected by 46 votes against 34.

#### IMPORT OF STEEL SLEEPERS.

Mr. Sesha Iyengar, in a motion for a token cut, drew attention to the policy regarding the purchase and use of steel sleepers on Indian railways. He said that there was enough wood in the country for use on railways. Wooden sleepers had been tried and not found wanting in the matter of durability and price and convenience to the travelling public. It was an anomaly to import steel sleepers from abroad when there was enough material at home.

The motion was negatived by 35 votes to 43.

#### PROMOTION TO SUPERIOR SERVICES.

Pandit Hriday Nath Kunzru then raised the question of the local traffic staff on railways who he said were not getting their proper share in the superior services. He said he did not ask for an increase in the proportion of Indian recruitment to the superior services but what he asked for was that speedy steps should be taken to promote men from the traffic service to the superior scale.

The motion was rejected.

#### RULING REGARDING TOKEN CUTS.

The President at this stage, (1.15 p. m.) ruled for future guidance, both in regard to the Railway Budget as well as the General Budget, that token cuts should not be for more than Rs. 100. The practice of giving notices of higher cuts in order to obtain priority of notice must be discouraged. He gave this ruling as he was informed that an expression of his opinion on this question would be of great assistance to members. He trusted that the House would co-operate with the Chair in establishing this convention and trusted that this would be treated as a ruling (Applause.)

#### POWER HOUSE AT KALYAN.

Sir Purshottamdas raised an important question regarding the Kalyan Power House. The Government had, contrary to the opinion of the Standing Finance Committee for Railways, undertaken these works, which the Government estimated would cost them Rs. 97,00,000. He asked the Government to mention the revised estimates, which he feared had probably gone up to Rs. 38,00,000.

The House divided and the cut moved by Sir Purshottamdas was defeated by 36 against 33 votes, the European benches remaining neutral with the exception of Sir James Simpson and Col. Gidney who voted with the Government.

The other demands were then put one by one and carried. The House then adjourned till the next day, the 23rd FEBRUARY when the General Budget was presented.

#### Financial Statement for 1929-30

The following are important extracts from the speech of the Finance Member, Sir George Schuster in introducing the Budget for 1929-30. —

Sir, as this is the first occasion on which I have the honour of making budget speech, I must regard it as my maiden effort, although I have already had occasion to address this House.

2. I may perhaps therefore be allowed to commence on a personal note. I address you with a due sense of humility, seeing that I come as a complete stranger to discharge this onerous and responsible duty. But this has at least a compensating advantage, for, in some ways, a stranger is in a privileged position. I already have had reason to appreciate from my own experience in other countries the hospitality of the west, and therefore, as a stranger, I know that I can count on a courteous welcome and a friendly hearing. It will be my constant endeavour to deserve a no less friendly reception when I cease to be able to claim the consideration due to a novice and have to be judged by you according to your knowledge of my actions. The success of a Finance Member in such a country at this lies not so much with himself as with the favour of Providence that determines the seasons. If my period of office is blessed with a series of good monsoons, my task may be comparatively easy. If not, I know that I may have to encounter difficulties. But difficulties are also opportunities, for, it

is by these that the strength of a system is tested, and success in overcoming them may lead to its permanent strengthening. From my first view of the position, I do not think that the time before us now is one for the achievement of spectacular results nor should I wish to claim the credit for them if they were achieved. If I have an ambition, it is this, that whether we encounter bad seasons or good, you should be able to say of me when my work is done, that I served your country at least to the utmost of my powers and that in all that I did, my main thought was for the interests of the people of India. I must now turn to the dry details of my task.

#### ACTUAL OUTTURN OF 1927-28.

3. The revised estimates for 1927-28 provided for a total revenue of 1,27.74 crores and a total expenditure of the same amount, the revenue including an appropriation of 1.69 lakhs from the Revenue Reserve Fund, which stood at 2.96 lakhs at the beginning of the year. The final figures show a total expenditure of 1,27.26 crores and in order to bring the revenue up to this figure it was necessary to increase the appropriation from the Revenue Reserve Fund from 1.69 lakhs as originally estimated to 2.22 lakhs. The deterioration in the revenue position as compared with that forecasted a year ago has thus amounted to 53 lakhs, which is mainly accounted for by a throw-forward of 40 lakhs representing land customs collections at Vinangam from 1927-28 to the current year. This has reduced the balance now at credit of the Revenue Reserve Fund to 74 lakhs.

#### REVENUE, 1928-29.—CUSTOMS.

7. The net customs receipts for the year were taken at 50.18 crores and I now put the revised estimate at 20 lakhs less. Larger imports of sugar and of mineral oils have increased the receipts by 70 lakhs and 28 lakhs respectively, while the land customs collections show an improvement of 70 lakhs, including the 40 lakhs thrown forward from last year. Excise duty on motor spirit is also expected to yield an additional 29 lakhs. On the other hand, cotton piece-goods and protective special duties relating to iron and steel show a deterioration of 40 lakhs and 42 lakhs respectively, while matches, the export duty on rice, and the excise duty on kerosene, have all been on the downward grade.

#### TAXES ON INCOME.

8. I have taken the revised estimate under Taxes on Income at 16½ crores against the budget figure of 17 crores. The reduction is mainly accounted for by certain large refunds which have had to be made as a result of legal decisions.

#### SALT.

9. Owing to an unexpected and considerable amount of speculation at Sambhar, the estimate of salt revenue, which was originally taken at 7 crores will probably be exceeded by about 65 lakhs in the current year. But as I do not think it safe to calculate on an average revenue of more than 7 crores, I am forced to treat the extra 65 lakhs, which we expect to collect in the current year, as being gained at the expense of next year, the estimate for which must be reduced accordingly. This unexpected factor seriously disturbs the distribution of revenue as between the current year and next year, and I shall have to refer to this point again.

#### OTHER HEADS.

10. The only item which needs comment is that of interest receipts which shows an improvement of as much as 65 lakhs, but this should really be set against a counterbalancing increase in interest payments to which I shall presently refer.

#### EXPENDITURE, 1928-29.—DEBT SERVICES.

11. The gross payments on account of interest on ordinary debt have exceeded the budget figure by 1.33 lakhs as a result mainly of the larger magnitude of our borrowing operations and a small increase in our borrowing rate. But the net payments, after deducting recoveries from the Commercial Departments and the Provincial Loans Fund, show a deterioration of 65 lakhs only which, as I have already stated, is covered by the increase in interest receipts.

## OTHER HEADS.

12. The only important variations from the original estimate are a saving of 22 lakhs in opium expenditure, which has resulted from short deliveries and poorer outturn and another of 21 lakhs under Civil Administration, which includes 7 lakhs on account of a carry-forward of the expenditure on the India House for next year.

## DEPARTMENTAL TRANSACTIONS, 1928-29—RAILWAYS.

13. As the House is already aware, the railway contribution is now estimated at 5.46 crores, which is only a little less than the budget figure of 5.48 crores. The present estimate includes 2.3 lakhs, being one-third of the excess over 3 crores available for transfer to the Railway Reserve Fund.

## POSTS AND TELEGRAPHS

14. The working of the Indian Posts and Telegraphs Department is now expected to show a loss of 29 lakhs, which is very disappointing considering that a year ago it was expected that a surplus of a few thousands would accrue. The deterioration is mainly accounted for by the facts that the reduction in the rate for foreign telegrams has not been counter-balanced by a corresponding growth in traffic, and that the effect of the numerous revisions of pay and other concessions granted to the staff in recent years was, to some extent, under-estimated. The Indo-European Telegraph Department does not show any appreciable variation on the whole and will involve a loss of about 7½ lakhs.

## MILITARY.

15. The net military expenditure has been taken at 55.10 crores as in the original budget. I shall give a fuller explanation of the military expenditure item when dealing with the budget estimates for 1929-30.

## SUMMARY.

16. The main variations may now be summarised as follows --

		(In lakhs of rupees)	
		Better.	Worse.
Revenue from Customs	...	..	20
Revenue from Taxes on Income	..	..	50
Revenue from Salt	...	65	...
Revenue from Interest	..	66	...
Expenditure on account of Opium	..	22	...
Expenditure on account of Interest of Debt	...	...	65
Expenditure on Civil Administration	...	21	...
Loss on the working of the Posts and Telegraphs Department	...	...	29
Other heads	...	15	...
Total	...	1,89	1,61
Net	...	25	

We thus expect to close the accounts for 1928-29 with a surplus of 30 lakhs instead of 5 lakhs previously estimated, and I propose that this sum should be credited to the Revenue Reserve Fund, the balance to the credit of which will then stand at 1.04 lakhs.

## BUDGET ESTIMATES FOR 1929-30.

17. I must preface my detailed account of the budget proposals for 1929-30 with certain preliminary explanations. For a proper understanding of the present position, I think one must go back to the remission of the provincial contributions which really became effective from the beginning of 1927-28, and one must consider the three years 1927-28, 1928-29 and 1929-30 together.

18. The way in which I would present the picture is this. As Hon'ble members will recollect, the actual result for the year 1926-27 showed a surplus amounting to 2.96 lakhs and on the strength of this it was decided to remit (provisionally in the first place) the whole of the remaining provincial contributions, amounting to 2.58 lakhs per annum. It was recognised that if Government sacrificed this permanent revenue, there might at the outset be a deficit. But



the intention was that the surplus of 2,96 lakhs in 1926-27 which was transferred to a special Revenue Reserve Fund, would provide a sufficient sum to bridge the gap until the normal growth of revenue had built up receipts to the requisite level. It was thought that the gap would not continue for more than one year and that by 1928-29 equilibrium would have been attained. On the revised estimates for 1928-29, which I have just dealt with, it might be said that this expectation has been fulfilled; but on a closer examination, it will be seen that the figures for 1928-29 taken by themselves, are really misleading. In fact, the revenue for 1928-29 has been fortuitously increased at the expense both of 1927-28 and of 1929-30. As I have already explained, it so happened that 40 lakhs of customs revenue which ought to have been received in 1927-28 were actually received only after the close of that year, and were thus credited to 1928-29. Further, as I have also already explained owing to speculation in salt, the revenue from that source for 1928-29 is likely to receive 65 lakhs which, in normal circumstances, would not have been received until after the close of the year and thus properly belongs to 1929-30. If, therefore, the true nature of the results for 1928-29 is revealed, it will be seen that, eliminating these two exceptional items totalling 1,05 lakhs, the year would have closed not with a surplus of 30 lakhs as our revised estimates show, but with a deficit of 75 lakhs. The gap left by the remission of the provincial contributions had not therefore really been filled in 1928-29 and the question which I have had to ask myself in setting the policy for the forthcoming year is whether the time has now come to decide that the original expectation cannot be realised, and that it will be necessary to find some new source of revenue. To answer this question we have to take account both of the revenue and expenditure sides, for it would be impossible to say that the gap had been satisfactorily filled if that could only be done at the cost of cutting out all items of beneficial expenditure which are really essential if the needs of the country are to be met.

19. What then is the answer to this question? Will it be necessary to impose new taxation now?

Sir, I believe it has been sometimes customary to keep the secret of the budget proposals as regards taxation till the closing paragraphs of the speech, so as to maintain the minds of hon'ble members on the tiptoe of expectation till the end, and thus avoid the natural tendency to sleep which a dreary recital of figures is apt to stimulate. I do not propose to have recourse to those adventurous aids for maintaining your attention. I will reveal my secret at once. The sum and substance of the position as regards normal revenue and expenditure, which it will be my business now to describe to you in greater detail, is that we can make both ends meet in 1929-30 without recourse to increased taxation and without denying money to any urgent beneficial expenditure, provided that we use the revenue reserve fund, first, to correct the artificial disturbance in the normal course of receipts from salt revenue, and, secondly, to meet certain special items of expenditure of a non-recurring nature.

20. I have decided to recommend this course for several reasons

First, I do not think that it would be justifiable to impose new taxation until it is more clearly demonstrated that there is a permanent need for it. With reasonably favourable conditions, some of our normal sources of revenue should be capable of considerable expansion, and I think it is fair to give the plan on which the remission of provincial contributions was undertaken the chance of another year in which to achieve its realisation.

Secondly, before imposing new taxation, I want to have a fuller opportunity of reviewing the expenditure side of the budget than has been possible in the limited time since I took over office.

Thirdly, before imposing new taxation, if that should prove necessary, I want to have ample opportunity for studying conditions throughout the country, so that I may be able to formulate proposals in the light of full knowledge of facts and opinions in such a way as to ensure that whatever is done is done in a way most beneficial to this country's interests.

But I wish to leave hon. members in no misapprehension on this matter. If additional taxation proves to be necessary in the following year, the need will have to be boldly faced. My present action is governed not by any fear of doing this, but by the desire to defer taking any step until I am quite certain, first, that it is necessary; and, secondly, what is the best direction in which to take it.

21. Having thus told you the general plan of the budget, I must explain in detail how the various pieces in the puzzle are to be fitted in.

#### REVENUE 1929-30.—CUSTOMS.

22. Any comparisons which I make will be throughout with the revised estimates of 1928-29. In view of the abnormally large imports of sugar during the current year, it would not be safe to place the estimate of revenue from that source at more than 7 crores, which, in present conditions, may be considered a normal figure. This means a deterioration of 80 lakhs under this head alone. Further, the land customs figure will also show a reduction of 36 lakhs owing to disappearance of the special factor which increased the revised estimates this year. On the other hand, I am budgeting for appreciable improvements under cotton piecegoods, protective special duties, excise duty on motor spirit, etc. On the whole I have assumed an improvement of 40 lakhs.

#### TAXES ON INCOME.

23. I have taken the estimate for next year at 16'60 crores—an improvement of only 10 lakhs. Owing to the absence of the specially large refunds, which were the main causes of the deterioration in the current year, the figure should actually have been appreciably larger, but I have had to allow for the effect of the industrial strikes, particularly in Bombay and at Jamshedpur, which will make itself felt on the next year's collections.

#### SALT

24. As I have already indicated, the element of speculation, which has brought in a windfall of 65 lakhs in the current year, will lead to a corresponding reduction in the next, and I have therefore assumed a receipt of 6'35 crores only as compared with 7'65 for the current year.

#### OPIMUM.

25. As the House is aware, the revenue from opium is gradually diminishing as a result of the Government of India's self-denying policy whereby exports of provision opium are to be extinguished not later than 1935. We shall accordingly lose 42 lakhs next year under this head.

#### OTHER HEADS.

26. The only item which shows any important variation is that relating to currency receipts, which are expected to go up by 36 lakhs. This, of course, merely means that we get back a portion of the rather high expenditure in the current year under Interest on Debt.

#### EXPENDITURE, 1929-30.—DEBT SERVICES.

27. The net payments of interest on ordinary debt show a reduction of 1,33 lakhs, accounted for mainly by larger recoveries from Commercial Departments and from the Provincial Loans Fund. On the other hand, there is an increase in the charges for interest on other obligations of 95 lakhs and an increased provision of 34 lakhs under Reduction or Avoidance of Debt. The latter includes the normal increase due to the increase of debt itself and also larger sum for Reparation payments to which I shall refer again. As regards the other heading namely, Interest on Other Obligations, 50 lakhs of the increase represents growth in the provision for bonus on cash certificates.....

#### CIVIL ADMINISTRATION.

34. The group head Civil Administration shows a very large increase of 1,18 lakhs, a matter which demands a special explanation. This head includes a great number of items of a non-recurring nature, and I have already explained that it is certain of these items which can justifiably be met for this year at least, by a draft on the Revenue Reserve Fund.

35. For the present, I will call attention to certain special items which are included :

## INDIA HOUSE EXPENDITURE.

First, we have to find as much as 29 lakhs for India House in London which is expected to be completed next year so that it will not appear again.

## AGRICULTURAL RESEARCH.

Again, we are providing 16½ lakhs for agricultural research of which only 1¼ lakhs represent normal recurrent expenditure and 15 lakhs represent the initial grant towards a total Endowment Fund of 25 lakhs. I hope to be able to provide the remaining 10 lakhs in 1930-31. But in the event of financial stringency it may be possible to postpone this, and in any case, these payments represent initial payments which will not recur. As hon. members are aware, the Agricultural Commission recommended an initial Endowment Fund of 50 lakhs, but, in substitution for this, the Government of India propose to create an Endowment Fund of 25 lakhs and to supplement this with an additional voted endowment of 5 lakhs each year. Normal recurrent charges on account of staff are estimated to amount to 2½ lakhs, so that when the full scheme is going, the normal recurring charge will be 7½ lakhs as against the provision of 16½ lakhs made in 1929-30.

## CIVIL AVIATION.

The next item for special consideration is 20 lakhs for additional expenditure on civil aviation. This again represents very largely initial expenditure of a non-recurring nature on the preparation of ground organisation, though I feel bound to point out that if an active policy of Government encouragement to the development of civil aviation is to be carried out, there will be recurring charges under this heading. The exact amount of these recurring charges cannot be estimated until the amount of subsidy that has to be paid to the parties undertaking the service is known.

## GRANT TO HINDU UNIVERSTY.

Apart from the above items, the head with which I am now dealing includes votes for general beneficial expenditure, such as, 5 lakhs for the additional grant to the Benares Hindu University, 2 lakhs for the Bose Research Institute, 4 lakhs for reclamation operations in the Andaman Islands, and 1¼ lakhs for special grants to the Pasteur Institute of India.

All these items to which I have referred are special items and they account for no less than 78 lakhs. It is relevant to mention that there are other items of non-recurring expenditure of a beneficial character elsewhere in the estimates, e.g., 6 lakhs for general measures, for the improvement of the conditions of the poorer population of Old Delhi and 8½ lakhs for irrigation and other development projects in the North-West Frontier Province, Baluchistan and other Minor Administrations.

37. The future efforts of Government to provide money for beneficial and constructive purposes, such as I have specially mentioned, must, of course, depend on the financial position, but I should like to take this opportunity to emphasise my own view that it would be unworthy of this country if Government did not take steps to provide themselves with revenue for meeting obligations of this nature.

## DEPARTMENTAL TRANSACTIONS, 1929-30.—RAILWAYS.

38. The contribution payable by the Railways to General Revenues will be 6½ crores, inclusive of 13 lakhs on account of the one-third share of the excess over 3 crores of the amount available for transfer to the Railway Reserve Fund. The total contribution is 79 lakhs more than the revised estimate for the current year.

## POSTS AND TELEGRAPHS.

39. The prospects of the Indian Posts and Telegraphs department for next year are more hopeful than is indicated by the revised estimates for 1928-29. Now that the outstanding grievances of the staff in the matter of pay and other conditions of service have been redressed, it is no longer necessary to make heavy provisions for new measures of this kind. With a moderate improvement in the revenues of the Department, it is expected to work at a loss of not more than 8 lakhs.

## MILITARY EXPENDITURE.

42. Lastly, I have to inform this House of the position as regards military expenditure. Apart from the grant of 10 lakhs to cover the Shea Committee measures in connection with the Territorial Force, to which I shall not refer again, the net demand is 55 crores. Hon. members will not be surprised to see this figure, as it was indicated by Sir Basil Blackett, in introducing the budget last year, that there was no prospect of reduction for some time to come. The general situation which Government had to face in connection with the Army was also explained to this House at length in a statement and in a memorandum laid on the table by my hon. friend, the Army Secretary, on the 5th of September last. I need not therefore enter into an exhaustive examination of the details of this question; but I wish to give this House a short explanation of the present position in my own words.

## THE PRESENT POSITION.

41. It will be remembered that in the year 1922-23 when Lord Inchcape's Committee conducted their enquiry, the actual net expenditure on Defence amounted to 65½ crores. As a result of that enquiry, the Committee recommended that in the following year, the scale of military expenditure should not exceed 57½ crores and that, in subsequent years, the estimates should be reduced to about 57 crores. They urged that a close watch should be kept on the details of military expenditure with the object of bringing about a progressive reduction in future, and indicated that, provided a further fall in prices took place, it might be possible to reach the figure of 50 crores.

42. The Committee's recommendations were excepted, subject to certain well known reservations by Lord Rawlinson, and resulted in a reduction from an actual expenditure of 65½ crores in 1922-23 to 56½ crores in the following year. Slight further reductions have since been effected, and during 1927-28 and 1928-29 the expenditure has been about 65 crores. The substantial fall in prices which the Committee envisaged when they contemplated the possible reduction to 50 crores after some years, has not yet been realised, while Army expenditure to-day includes considerable additional charges due to causes which the Retrenchment Committee could not foresee—principally the necessity of improving the pay of the officers of the Army and granting passage concessions on the scale of civil officers of Government in accordance with the recommendations of the Lee Commission. Further, the Army now pays customs duty on imported stores, and also pays the cost of all stationery and various other services rendered by other departments of Government. These additional charges amount to approximately one crore of rupees, and were referred to by his Excellency the Commander-in-Chief in his speech in this House last March.

43. By 1926 it became evident that stringent curtailment in expenditure had produced deficiencies in certain essential equipment, and also that the Army in India was failing to keep pace with modern developments adopted by the British and other armies. For this reason, my predecessor, in introducing the budget for 1927-28, warned the House that only the strictest economy and vigilance would prevent a rise in the military budget. The House will also recollect the situation as regards the efficiency of the Army as explained to the Public Accounts Committee in 1927. Again, in introducing last year's budget, Sir Basil Blackett reiterated his warning of the previous year.

## MODERNISATION OF ARMY EQUIPMENT.

44. The programme for the modernisation of Army equipment which ultimately worked out was explained in the statement made by the Army Secretary to this House on the 5th September, to which I have already referred. This programme included the expansion of the Air Force by two squadrons and a provision for the modernisation of the equipment of that Force in India; also a provision for measures in connection with anti-aircraft and anti-gas regulations and for the mechanisation of the transport and of fighting units together with the repletion of the reserves. The total cost of the full programme was estimated at 10 crores made up of 8 crores for the specific measures defined above and 2 crores to cover subsidiary requirements not yet exactly defined.

45. The revelation of these needs created a difficult financial problem. Government decided that the military budget could not, in any case, be allowed to exceed the figure of 55 crores, and that the special expenditure required must be found within the limits of that sum. Certain automatic savings were in sight, principally those due to the reduction in the pay of British troops, amounting altogether to a saving of more than one crore; and over and above these savings, the Army authorities undertook to carry out a special economy campaign in order to provide the additional money that was required.

#### A SUSPENSE ACCOUNT.

46. Accordingly, it was possible to devise a plan which provides that if the Army budget is maintained at a figure of 55 crores for four years—starting with year 1928-29—then, apart from any abnormal or unforeseen circumstances, the necessary special expenditure will be found within the limits of this sum. as it is impossible to forecast exactly the rate at which the new equipment will be provided and as it is important to avoid fluctuations in the military budget from year to year, it is proposed to adopt the procedure of transferring to a Suspense Account any sum within the limit of 55 crores not spent in any particular year, on the understanding that this Suspense Account can be drawn upon in subsequent years. This is really a logical corollary to the system of net grants with liberty to reappropriate savings to meet expenditure on essential new services—a system the advantage of which, as a temporary arrangement at any rate, was recognised by the Public Accounts Committee in 1927.

47. Provided that a close check is kept throughout by the Finance Department on all expenditure, it may be claimed that there are considerable advantages in an arrangement on these lines, for it has the effect of removing all inducement to the Army authorities to rush through expenditure before the end of a financial year in order to avoid the lapsing of a particular grant. I think, indeed, that in the carrying out of such a programme of re-equipment, as I have explained above, it is essential to have some provision of this nature for equalising the actual appropriations over a period of years. A further advantageous result which, according to my information, the experience of the working of the arrangement since last summer has demonstrated is that it results in the whole-hearted co-operation between the Army authorities and the Finance department in the search for all possible economies, for the Army authorities know that the completion of the programme of re-equipment is dependent on the discovery of such economies. I am glad to be able to take this opportunity of testifying to the helpful attitude adopted by the Army authorities on this matter.

48. In order to show how the arrangement is actually working out, I may state that for the current year, 1928-29, the expenditure on normal standing charges of the Army will be 53½ crores, leaving approximately 1½ crores which will have been, devoted to the special programme. It is further estimated for 1929-30 that the ordinary maintenance charges in the Army will amount to 52·94 crores, leaving a margin of 2·06 crores for expenditure on the special programme.

#### NORMAL COST BEING CUT DOWN.

49. The normal cost of the standing military charges in thus being steadily cut down and it is, therefore, possible to hold out a very definite hope that when the four years' programme of re-equipment is completed, that is to say, after the year 1931-32, the total military Budget will, apart from any circumstances which can not at present be foreseen, be substantially reduced. It would be unwise for me at present to commit Government to promising a definite figure, but I can assure the House that the Finance department will exercise the closest scrutiny of the execution of the programme.

50. Although these ultimate savings are in sight, I am fully conscious, that the House must share with me, as a Finance Member on the threshold of his term of office, a feeling of disappointment that no immediate relief for the budget can be obtained from the economies which are really being effected in the

standing military charges of the Army. It will, however, at least be something of an achievement if an important programme for modernising the equipment of the Army, costing about 10 crores, can be carried through in 4 years without an increase in the budgetary provision. Moreover, it can be definitely stated that when the programme is completed, the country will be provided with a more than efficient force at a smaller cost. To give the country better value for its money must indeed be the key-note of our policy.

## SUMMARY

52. The more important variations from the revised estimate may now be summarised as follows :—

			( In lakhs of rupees )	
			Better	Worse
Revenue from Customs.	...	...	40	...
Revenue from Salt	...	...	...	1,30
Revenue from Opium	...	...	...	42
Revenue from Currency	...	...	35	...
Expenditure on account of Civil Administration.	...	...	...	1,18
Net contributions from Railways.	...	...	79	...
Loss on the working of the Posts and Telegraphs Department	...	...	22	...
Other heads	...	...	...	7
Total ...			1,77	2,97
Net ...				1,2

## NET RESULT WORSE.

The net result for 1929-30 is therefore 1,20 lakhs worse than for 1928-29, or in other words, instead of the surplus of 30 lakhs, which the revised estimates show for the current year, we shall have to make up a balance of 90 lakhs in 1929-30 from other sources.

53. If it had not been for the fact that 1928-29 has gained 65 lakhs from salt revenue at the expense of 1929-30, the latter would actually have shown, on balance, an improvement of 10 lakhs over 1928-29, and the amount required to balance next year's budget would have been no more than 25 lakhs. Taking this into consideration, and in view also of the fact that the Civil Administration estimates this year contain a number of special items to which I have already referred and some of which need not necessarily be repeated I have, as already explained, thought it justifiable to provide the necessary balance from the Revenue Reserve Fund and to defer any question of imposing new taxation. The Revenue Reserve Fund, as already explained, is expected to stand at 1,04 lakhs on the 31st March 1929, so that, by providing from this source the sum of 90 lakhs which is required to balance the budget for 1929-30, there will still remain a balance of 14 lakhs left in the Fund at the close of that year.

## NEW TAXATION.

54. I have dealt so far with the normal budgetary situation and have left one particular proposal till the end. The Finance Bill, which I shall very shortly beg leave to introduce, contains a provision, necessitated by the recommendations of the Indian Road Development Committee, for the increase, from 4 to 6 annas per gallon, of the import and excise duties on motor spirit. The additional revenue expected to be realised on this account is 6 lakhs in the current year and 83 lakhs in the next. These amounts have, accordingly, to be added to the estimates of customs revenue which I have already mentioned to the House. But there will also be a corresponding addition to the charges under the Civil Works head, representing block grants of the same amounts, which will be credited to a Road Development Fund from which disbursements will be made from time to time to Provincial Governments and others on the general lines recommended by the Committee. I have to make it clear that this is a measure of taxation which is not designed for the advantage of the general revenues of the Central Government but for a specific purpose which has been unanimously

recommended by the Committee, and which, I have no doubt, will be welcomed by this House.

#### FINAL RESULT.

55. The main figures of the budget, after allowing for the transfers to and from the revenue reserve fund and for the additional taxation and its disposal just referred to, stand as follows —

			(In crores of rupees.)	
			Revised	Budget
Revenue	...	...	1,31'20	1,31'06
Expenditure	...	...	1,31'20	1,31'06

#### WAYS AND MEANS.

The Finance Member after reviewing the ways and means position said. —

63. I have prepared a summary, in the usual form, of the ways and means position for the current year and next year —

			(In crores of rupees.)	
			Revised 1928-29	Budget 1929-30.
<i>Liabilities.</i>				
Railway capital outlay (construction)	...	...	26'0	26'5
Purchase of Railways	...	...	4'0	7'0
Other Capital Outlay	...	...	1'7	2'1
Provincial Governments' Transactions	...	...	12'1	7'2
Discharge of Public Debt (net)	...	...	19'9	3'9
Other Transactions (net)	...	...	4	1'4
Total	...	...	64'1	48'1

#### *Resources.*

Rupee Loan (net)	...	32'8	18'0
Sterling Loan (net)	...	12'1	7'0
Postal Cash Certificates and Savings Bank	...	3'7	5'3
Other Unfunded Debt	...	4'9	4'9
Debt Redemption	...	5'6	6'9
Depreciation and Reserve Funds	...	6'3	5'8
Reduction of Cash Balances	...	—2'3	1'1
Total	...	64'1	48'1

#### FRESH BORROWING.

70. The result of the whole programme as now settled is that allowing for a reduction in Public Debt of just under 4 crores—in treasury bills and sterling obligations—we shall require to raise a total new loan of 18 crores. On top of this there is the £5 ¼ millions to be found for the purchase of the Southern Punjab Railway, and as this represents the taking over of a sterling obligation which is already in existence, I have shown in my forecast that it will be met by a sterling loan. The situation, however, as far as concerns next year, is really better than I have shown, because according to the agreement with the Southern Punjab Railway, although the purchase price becomes due on the 31st December 1929, the actual payment can be postponed for another four months at 3 per cent. interest. It is therefore not at all improbable that this obligation will not affect our ways and means position until 1930-31. As regards the 18 crores to which I have referred, the question whether the whole of this sum will be found by the issue of a rupee loan in India or whether a part, large or small, will be raised in the form of a sterling loan in England is one which will be settled in the way which best suits India's interests, having regard to the conditions which are found to prevail. If there has been any apprehension lest Government's needs for borrowing next year might have a seriously disturbing effect on the market for Government securities, I think this forecast should allay it. The raising of a total sum of 18 crores, either here or in London, should, with normal

conditions offer no difficulties. These considerations bring me to the much larger question of the whole borrowing policy of Government, on which I feel it important to make some general remarks in order to clear away misunderstandings.

#### REVIEW OF GOVERNMENT'S BORROWING POLICY.

72. I must now revert to a general review of Government's borrowing policy. I have recently read numerous criticisms on this matter and many exhortations from well-wishers who have offered me guidance as to my tasks and opportunities. I read all these with interest and some with gratitude, for even those that are couched in unpleasant language are at least stimulating. But when I am told that the Government of India must abstain altogether from borrowing, I can only feel that such advice ignores realities.

73. In considering policy on this matter, there are two main questions to answer. First, are Government to continue to encourage an active policy of economic development? Secondly, how is the necessary money to be raised?

74. I can hardly imagine that any one could answer the first question with an unqualified negative. Capital expenditure which has been undertaken in the past five years, particularly on railway development or irrigation, has proved remunerative and greatly to the benefit of the country. Such a policy, provided the schemes are wisely chosen and well executed, must help towards the result which we all desire and on which the prosperity of India can be most firmly founded, namely, the improvement of the power of production and of the standard of life for the vast rural population of this country, which must be the basis and foundation for prosperity in the industrial centres also. Quite apart from this, as I have already said, it would be particularly unfortunate if works of this kind had to be drastically cut down during the present period of depression of which we have heard so much in debates during this session. But, while I would press forward a wise development policy with the greatest keenness, I must also recall the words of warning which I have already used, and avoid any course which might overstrain the credit of the country. The future requires the difficult combination of enterprise and caution; enthusiasm and self-control.

75. On the second question, as to how the necessary money should be raised I entirely agree in principle with the policy which was advocated by my predecessor that Government finance should be based as far as possible on attracting rupee capital in India. It is only in so far as money cannot be raised from the investing public in India that I should ever consider having recourse to sterling borrowing. I wish to leave no shadow of doubt on this matter. How far it is possible to follow out this policy depends almost entirely on the people of India. If all the money which now goes to the import of treasure was to be made available for investment in productive undertakings, India's needs for foreign capital might well disappear. Even in the forthcoming year, with a large capital expenditure programme, we need to raise only 18 crores from the public against which may be set the fact that the average net imports of treasure since the War, excluding the abnormally high figures for 1924-25, have been more than twice as large in value..... Conditions can not be changed in a day, and if there are times when the whole capital, required to continue a reasonable policy of development, cannot be raised in India, then I can see no valid reason for refusing to have recourse to moderate loans abroad. It would, in my opinion, be a far greater evil to hold up the proper development of the country merely for the sake of avoiding all sterling borrowing, however moderate the amount. It seems to me, judging by comments which have appeared in the press and from remarks which have fallen from Hon'ble members opposite in the course of debates during this session when the general condition of the country was under discussion, that there is a good deal of misapprehension on the subject. It has been implied, for example, that the policy involves India in borrowing at ruinous rates for the sole advantage of England. There could be no greater misapprehension. We can still borrow at very reasonable rates, while, so far as advantage to British interests is concerned, it must be remembered that the total amount that can be raised on the London market is strictly limited so that if India did not appear as a borrower, her place would easily be filled. In fact, the difficulty lies rather on the other side, namely how to find room, in the limited number of



issues that can be permitted, for all those who want to provide themselves with funds.

77. In all business relations it is desirable that there should be mutual advantage ; but I am quite certain that in this particular relation, the balance of advantage lies on the side of India in that she has so privileged a position among the borrowers who seek funds in the London market.

78. A second misapprehension which also appears prevalent is that it is derogatory to the dignity of a country, or evidence of a weakness of its position, that it should have recourse to external loans. But this is an essential condition of any country in the early stages of its development, and in this sense, India still is in the early stage of her economic development.

Even a wealthy and highly-developed country like the United States until the Great war got large sums of investors' money from the London market for financing railway development projects and other enterprises of this kind. It has been estimated that in 1914 British investments in the United States, chiefly in railways, amounted to something like £760 millions. Moreover, all the great Dominions are constant borrowers in the London market. A large proportion of the railways of South America have been built with capital raised in England, while Japan, whose political and economic progress is ever held up as an example, has been a large borrower both in London and in New York, and I might add, has her loans quoted on a 6 per cent basis in London, and a  $6\frac{1}{2}$  percent, basis in New York, as compared with the 5 per cent. rate at which India gets her money.

79. Further, I think that there is a good deal of misapprehension as to the extent to which India's sterling indebtedness has had to be increased during the past years. In an earlier part of my speech, I gave some figures as to borrowings in the five years ending the 31st March 1928. Let me carry these figures down to the end of the current year, so as to include a year of comparatively heavy borrowing. In the six years ending with the 31st March 1929, capital expenditure abroad will have amounted to £60 millions. Against this loans producing net amounts of £18 millions in 1923-24, of £6,862,500 at the end of 1927 and of £9,100,000 in the last loan issued in January have been raised on the London market. But, on the other side, permanent sterling debt has been discharged regularly each year over this whole period in the form of railway annuities and otherwise. The final result is that, although according to the figures which I have just given a capital expenditure of £60 millions has been undertaken, the net balance raised by the increase of sterling funded debt has only been just under £20 millions. This sum must be still further reduced when it is taken into account that the sterling expenditure includes the purchase of the Burma Railways at £3 millions. By this transaction, sterling securities were cancelled so that the net amount of foreign capital on which India as a whole has to find interest in foreign currency has really only been increased to the extent of the loans necessary to raise £17 millions.

80. In order to complete the picture it is necessary also to take into account any reduction which has taken place in sterling resources. Sterling treasury balances were reduced during this period by about £4½ millions while transfers of sterling from the Paper Currency Reserve amounted on balance during the same period to about £3¼ millions.

I think it is no small achievement and demonstrates the strength of the rupee exchange position that this very large amount of capital expenditure abroad has been effected with so small an increase of external indebtedness.

81. I must also add a few words on one more heading in connection with this matter. Even if the amount of our borrowing had been much large, it would not have been out of proportion to the undertaking for which the Government of India are responsible, seeing that they have to finance practically the whole railway and port system of this vast continent which contains one-fifth of the population of the world, and also to provide money for irrigation and other development projects. Government borrowing may cover many purpose, and in some cases it may be a sign of weakness. But the borrowing by the Governmen

of India, of which I have been speaking, and which we have to contemplate for the future, indicates rather an increase in strength. For whatever is borrowed will be more than covered by sound productive investments producing a larger revenue than is required to meet the interest charges. This leads me to the consideration that it may be desirable for the future to devise some means for so presenting our demands for new money as to demonstrate more clearly to the public the purposes for which the money is to be applied and the inherent strength of the position.

#### EXCHANGE.

86. Sir, my course which, I fear, has been a very long one, is nearly run. I have only one more obstacle to negotiate and then I can take a straight run home. I feel that hon. members would think I was shirking a part of my task if I did not refer to the ratio question, for I must do those who have raised the question in recent debates in this House at least the honour of taking them seriously.

87. I am fully conscious that there are those in this Assembly who honestly and honourably advocated the view that the rupee ought to be established at 1s. 4d. when the issue was still an open one and the country in a sense had a free choice before it. I do not seek to convince any of those who took this course that they were wrong, though this involves no admission on my part and is, as the lawyers say, entirely 'without prejudice.' I would put to them a much simpler question—Can it seriously be proposed as a practical course that after working on a basis of 1s. 6d. for several years—a basis actually fixed by statute since 1927—that this Government could deliberately decide to devalorise its currency by 11 per cent.? I shun all forms of over-statement, but I can hardly conceive the possibility of any more disastrous course. It would cause injustice to thousands of individuals who had entered into previous contracts, among whom perhaps the most important are the workers, manual or otherwise, whose wages and pay have been fixed on a different basis, and it would strike a blow at the credit of India in the eyes of the world from which it could hardly recover. For, what guarantee would other countries have that a word once broken would not be broken again? All the arguments which are used for advocating a drop from 1s. 6d. to 1s. 4d. could be used with equal force for further inflation and further depreciation of the currency.

88. I have never seen any practical suggestion made as to how such a change could be brought about; but I feel sure that any man who really understands the working of these matters will realise that whether it were to be done by a stroke of the pen over-night, or allowed to take place as a result of a long period of weakness on the part of Government, the results would be equally dislocating and disastrous.

89. I sympathise whole-heartedly with those who, like my hon. friend, Pandit Madan Mohan Malaviya, have expressed, in terms of great eloquence, their burning desire to improve the economic condition of the people. But I would say to him that the only way in which that can be done is by the constant and combined effort of Government and all those who influence public opinion, directed to the extension of education and credit facilities, to the encouragement of hard work and thrift, and to an increase in real wealth by the introduction of improved methods of cultivation and communications. Anything else is no more than quack remedy.

90. I do not deny that if Government were to adopt a deliberate policy of inflation and depreciation of the currency, that might act as a temperate stimulant, for it would induce a period of raising internal prices which is always encouraging to trade and it would also bring about a reduction in real wages which would benefit employers of labour making goods for export. But experience in many countries since the War is available to illustrate how dangerous is the use of such a stimulant and what disastrous reactions it may produce.

91. Some of those who have spoken on this subject have likened the present financial conditions of India to the state of a sick man, who needs some

remedy. It may be said, I suppose, that upon myself as directing to some degree the finances of the country, there falls the heavy responsibility of the doctor. The doctor's calling is a noble and difficult one and perhaps its duties have never been better put than in the words of the oath which Hippocrates, the Greek philosopher and scientist, who lived more than two thousand years ago, made his disciples swear. Let me repeat some of its words :—

'I swear by all gods and goddesses that I will, according to my power and judgment, make good this oath and covenant that I sign. I will use all ways of medical treatment that shall be for the advantage of the sufferers, according to my power and judgment, and will protect them from injury and injustice. Nor will I give to any man, though I be asked to give it, any deadly drug ; nor will I consent that it should be given, but purely and holily will keep guard on my life and my art.

Sir, I would willingly accept no less binding vows, but, if I were to listen to those who advocate inflation and depreciation of the currency as a remedy for the present state of this country, I should be untrue to such an oath. Then, indeed, should I be administering a deadly drug.

92. But let me ask. Is the country really suffering from any sudden and new disease? Are we not really in danger of exaggeration when such words are used? Judged by all ordinary standards—figures of foreign trade, railway returns, etc.—India is more than keeping her place in comparison with other countries. Depression in trade is prevalent throughout the world and I venture to say that there is distress in other countries today, equal to, or greater than, that which is felt in India and attributable, like much of India's trouble, to world causes. I fully accept the statement which I have heard in this House that the standard of living among the rural population of India is miserably low, and I yield to no member on the other side in my keenness to take a hand in a joint effort to remedy it. But this is no sudden and new phenomenon. No one can point to the particular date when the rupee was stabilised at 1s. 6d. and say truthfully: 'This is the date when it began, before this we all lived in a golden age.'

93. Sir, there is one condition above all others which is requisite for commercial prosperity and that is a condition of security. If this talk about reducing the ratio is taken seriously, it can only produce a feeling of uncertainty and insecurity and, amongst other unfortunate results, it must tend to induce those who can do so, to invest their money abroad.

94. I cannot believe that it really is taken seriously by the bulk of the business world, but still, talk by responsible members of this House cannot be without some effect. Therefore, I would appeal to those who have urged a contrary course and say to them. 'You have done your best for what you thought right. Whether the course actually taken was right or wrong, it would be a far greater evil now to alter it and Government are bound to use all the resources at their command to prevent its alteration. The time has come therefore to look to the future in which the interests of the country demand, above everything, that we should pull together to work out our salvation on the present level.' Response to such an appeal would bring honour to all who accorded it.

#### CONCLUSION.

96. Sir, I have tried to present to-day a plain and unvarnished statement of facts—disguising none of the difficulties and exaggerating none of the favourable features. The note which I have wished to strike in my speech and to embody in my budget proposals is that we must look at the state of the country with a broad vision and not rush into sudden measures of the influence of what may be only a temporary condition.

If one looks back over the past six years, one cannot fail to be struck by the great inherent strength exhibited in the position. On the side of capital expenditure, I have quoted figures to show how enormously the productive assets of the country have been increased in proportion to the loan liabilities incurred. A broad view of the revenue position is also encouraging. When one considers all the revenue which has been sacrificed by the Central Government in the past six years in

order to give greater latitude to the Provinces or to provide some economic advantage to the country—nearly 10 crores of provincial contributions given up, and in taxation 13.4 crores on cotton excise, 85 lakhs on machinery, 1½ crores on opium, to mention only the most important cases—and when one then realises how the other sources of revenue have moved towards filling the gap, I think one is justified in feeling confidence as to the future. It might perhaps be said that the rate of capital expenditure has recently shown tendencies to acquire too great an acceleration or rather, to put the matter in another way, Government have not increased their fixed capital (that is to say, money at their disposal from long-term loans) quite sufficiently in proportion to the expansion of the business. Possibly also, sacrifices of revenue have been based on expectations which, for the moment may prove too optimistic. With these possibilities in mind, I would say that we are passing through a period which needs a steady hand on expenditure and the careful conservation of our credit, and that, combined with this, there is also needed some broadening of the basis on which the capital, which is required for the development of this vast continent is to be provided. These objects will be my chief concern and I shall pursue them with all the more confidence and enthusiasm because of my firm conviction that the financial position of this country is fundamentally sound and that there can be no country in the world which has better security to offer for its loans.

97. Sir, I have only one more word to say. I have expressed in my last sentences the confidence which I feel in the economic foundations of this country. But there is one thing on which those foundations must rest, and that is political stability. I have deliberately refrained from disturbing my account of the economic position up to this point by any extraneous considerations, nor do I wish to appeal as preaching to this Assembly on a subject which might be held to be outside my sphere. But I have set myself the task of describing the situation exactly as I see it, and this task I must complete. India till now has had one priceless possession in her credit with the outside world. I believe, for such reasons as I have tried to make clear to-day, that the economic advancement of the country depends on the maintenance and use of this credit, both within and without. Fears of political disturbance cannot but shake it, and to do this is to endanger the structure on which the material welfare of the millions of this country depends. I pray that this vital consideration may not be forgotten. Having said this, let me close, as I began, on a personal note. Though it is my fate to deal with finance and the production of wealth, I do not, any more than many hon. Members opposite, place materialistic objects above all other ends in this world. Nevertheless, an adequate measure of material well-being is a necessary condition of happiness in any state. I trust that even those whose thoughts are mainly concentrated on political objectives which may range them at times against the Government of which I am a member, will not forget this fact, and will find in the economic sphere some common ground on which we can co-operate for the material advancement of the Indian people. Is it too much to hope that such co-operation may have its reactions also in wide spheres? The money with which I have to deal suffers from the material limitation that what is spent is gone, but good-will is inexhaustible and the more that is expended, the greater will be the supply.

This finished the Budget speech and the house adjourned.

### General Discussion of Budget

After a recess of three days the house re-assembled on the 4th MARCH for the general discussion of the Budget. At the outset Mr. N. C. KELKAR said that he could not realise the difficulties of the Finance Member which he had mentioned in his statement and requested him to inform the House what was going to be wrong in the budget. He said that the Finance member must have the skill of rope dancer and that by his statement the Finance Member had only showed his salamiity of vision. Concluding Mr. Kelkar said the Finance Member must take the House into his confidence and then only his side of House would be willing to co-operate with him.

Mr. Gaya Prasad SINGH after referring to the salt industry passed severe criticisms on the military policy and said India existed for the Army and not the Army existed for India. He said that even the recommendations of the Skeen Committee were thrown into air.

Col. CRAWFORD following Mr. Gaya Prasad said that the most striking feature of this year's Budget was the arrangement between the Finance Department and the Military expenditure. He was not one who advocated that India should have Army which was not able to cope with the stringency of the situation that might arise some time, but he was one who advocated that it should be maintained at the cheapest cost possible. Proceeding Col. Crawford said that after January 1, next year there might be an increase in the expenditure for military purpose.

Mr. Gaya Prasad Singh asked.—Will the member be more explicit in what he is driving at?

Col. Crawford :—Suppose Mr. Gaya Prasad Singh takes into his head to resort to certain wrong line of action from that date it might be necessary to use force. They might carry on a kind of agitation which might upset the whole of the Budget next year. Besides, there was the Communist danger. Through co-operation they might tide over the troubles which the Finance Member's Budget foreshadowed but pursuing a wrong line of action they might upset all calculations.

Mr. BIRLA said that there was a feeling among the non-official members that the policy of the Finance Department of the Government of India was generally laid down to suit the foreign vested interests. If the present Finance Member could steer clear of the influence of those vested interests his name would go down in the history as the greatest Finance Member.

Continuing Mr. Birla said that generally speaking the budget was a gloomy budget. They must find the root cause of this and find out the remedy also. To the speaker the remedy seemed to lie in retrenchment irrespective of good or bad year both in recurring and non-recurring expenditure. There was enough scope for retrenchment, specially in the military expenditure. When they cried for reduction of military expenditure they were told that there was no room for reduction. But when they wanted money for the modernisation of the Army and no money could be found, they effected retrenchment in their own department and utilised the savings thus effected for the purpose. This showed that economy could be effected in the department. So long as the Military Department was being run in an extravagant manner they would not get out of the difficulty. Taking all things into account he could not understand why the military expenditure should not be reduced to fifty crores. He believed that retrenchment could be effected in all departments and suggested that the non-official side should be taken into confidence in the matter.

Referring to borrowing Mr. Birla said that their objection to borrowing in England was based on political ground. They could not get Swaraj until they could buy it out, i.e. pay off their debt. Alien capital meant alien management. That was why there was a delay in Indianisation of Railways. More they borrowed foreign capital, more they got into the clutches of the foreigners. That was why they were opposed to borrowing outside which must delay attainment of Swaraj.

Mr. Doraiswami IYENGAR described the Finance Member as being attached to the chariot of the Government of India which must maintain its top-heavy administration. So long as the Government was what it was at present, their discussion of the budget was a mere farce. They could touch on 20 p.c. of the expenditure and the remainder was untouchable to them.

Sir Purushottamdas THAKURDAS following Munshi Iswar Saran appreciated the warning which Sir George Schuster had given in his statement that if additional taxation proved to be the necessary in the following year the need would have to be boldly faced. But so far as this side of the House was concerned, further taxation would be opposed unless a good case was made for it. He was of opinion that the taxable capacity of India, it not exceeded, had certainly reached its maximum. In addition to making out a good case for further taxation the

Government must also promise that further taxation would be used for national growth.

Referring to the features of the budget Sir Purushottamdas Thakurdas said that Sir George Schuster held a great amount of capital development in course of five years with comparatively small increase in the public debt of the Government as a great achievement but Sir Purushottamdas Thakurdas could only say that Sir George Schuster should not try to repeat this achievement and that he widely differed from him. He then referred to the statement of Sir George Schuster that the Government must be prepared in future for having to raise larger proportion of their capital expenditure in the form of public loans and said with such deflations in the country and with the present state of money market he felt that whilst it was alright before some years in the sphere of finances there was little in the shape of achievement. He asked who would sympathise with the Governor-General-in-Council when they asked in the present state of things for help to borrow at reasonable rates.

Sir Purushottamdas then referred to the question of ratio. He said that having himself been one of those who tried to prevent the disaster of 18d. ratio he did not expect any better statement from Sir George Schuster in regard to the new ratio and his statement in no way but praised him. He said he did not propose to deal with this subject and what could not be told must be endured. The supporters of 18d. he said, must now feel the pang of penitence and they should not be so sensitive as not to stand the screams and yells of those who left the pinch much more. He then referred to Sir George Schuster's argument that the poverty of India was chronic and said if the poverty of India was chronic, it was all the more necessary that the Governor-General-in-Council should have thought thrift before robbing the poor peasants of their 12½ p.c.

He deplored that Sir George Schuster nowhere mentioned the present position of industries in India. The industries of India must call for the serious attention of the Governor-General-in-Council. He said that the market rate of the share of at least six mills in Bombay was lower than the amount of dividend paid in 1921-22. He asked Sir George Schuster to take the view of total industrial investments in India. He felt that there was something fundamentally wrong regarding governing factors in Indian industries.

Col. GIDNEY was of opinion that the Military Budget could be greatly reduced. Since 1922 there had been no reduction in this sphere. In view of the serious situation in which the Finance Member might find himself in the near future it was incumbent that a serious attempt should be made in this respect. He believed that there was room for reduction of expenses to the extent of ten per cent. so far as the Army Department was concerned. The speaker drew the attention of the Army Secretary to the fact that much retrenchment could be effected in the Medical Service of the Army by engaging lower salaried men. He criticised the Health Department of the Government of India for allowing unchecked the quinine fraud which deluged the Indian market. Referring to Indianisation Col. Gidney said that to some speakers in the House it was synonymous with anti-Anglo-Indianism. Proceeding, he repudiated the charge of uncivility against the Anglo-Indian employees in the Railways which had been brought by some speakers.

On the 5th MARCH Sir Victor SASSOON initiated the discussion on the general budget. Sir Victor congratulated the Finance Member on his frank speech which stimulated earnest thought and said that the Finance Member was wise enough to tell the House that he had not yet taken up any definite line of policy until he had studied the subject. Sir Victor then said that he proposed to postpone his remarks with regard to the loan policy of the Government of India to another date.

Sir Purushottam :—Are you sure that you will do that ?

Sir Victor Sassoon said he was sure that he would do it on Tuesday next. He then drew the attention of the Government to the fact that there was no Trade

Commissioners at Mombassa, Alexandria and Durban and characterised the Government's attitude as that of a step-mother.

Mr. Jamnadas MEHTA followed Sir Victor Sassoon. He said that although the Finance Member did not owe his office to their sufferage, he wished him god-speed in anything he did for the economic advance of this country.

Continuing Mr. Mehta said that the purchasing power of the masses and the middle classes had received a rude shock and unemployment was on the increase. The causes, Mr. Mehta said, with reference to the Finance Member's argument were handy excuses. He begged of the Finance Member not to give those excuses as they would prevent him from making an earnest endeavour to improve matters. Referring to the increase of bank rate Mr. Mehta said that he did not think that the Finance Member had correctly stated the situation. In his opinion there was no occasion for increasing it and the real reason for increase had yet to be stated. Continuing Mr. Mehta said that the contents of the budget did not present a cheerful reading and the prospect of further taxation had come upon him as a profound surprise.

Mr. Mehta then bitterly criticised the policy of custom tariff and said that customs figures revealed that rich people were having a nice time at the cost of the poor and as a result of the present ratio custom revenue was going down. Railway and custom tariff, he said, could help trade and commerce but behind both of them there was no national policy. Mr. Mehta then criticised the policy of capital expenditure and thought that there was no room for credit or gratification for the figure which did not reveal the strength of Indian finance.

Referring to the borrowing figures he said that the actual total amounted to 91 crores during the last five or six years and he could not congratulate the Government on such achievement specially when the expenditure was done in a manner which he hoped would not be repeated. Sixtyseven crores have been taken, Mr. Mehta said, from the current revenue without capital expenditure of productive nature. Mr. Mehta wondered the while reduction of salt tax was considered unthinkable how the Government could take this money from the pocket of the tax-payers without the necessity of current expenditure. He reminded the Finance Member of the canons of taxation which demanded that he could not take a single pie from the public except for the purpose of administration.

He then criticised the military budget and said that in England the expenditure was reduced by four millions though mechanisation of army was going on in that country. He further said that unproductive debt of 173 crores was all due to wars and thought that India was paying more due to the present ration. "We are really paying," he continued, "a far bigger amount for military expenditure than it really appears." Referring to the figures, Mr. Mehta said that even to-day India was paying 65 crores and not 55 crores for the army—a sum which was 50 per cent. of the total revenue. But out of 200 officers in the army there was not a single Indian and yet, he said, they were told not to express views coloured by politics. The Finance Member, Mr. Mehta said, was like the Prince of Abyssinia living in a valley of ignorance.

Continuing Mr. Mehta said that financial credit was being maintained at the cost of girding taxation. The Government of India, he said, was like a householder who paid his money-lender by starving his family and not clothing his children. He might have higher credit with the money-lender but it was a discredit to his creator.

A flutter was then created in the House when Mr. Mehta proposed to disclose the methods adopted to put the Ratio Bill on the Statute Book and said that even the services of public women were utilized in securing votes.

Concluding, Mr. Mehta said that he could not contemplate the idea of fresh taxation. In his opinion the only method of balancing the budget was retrenchment by carrying out honestly the recommendations of the Inchcape Committee.

Mr. Sanmukham CHETTY congratulated the Finance Member on his speech. Though there was optimism in his speech he failed to grasp the realities of the

situation. In his last speech Sir Basil Blackett prophesied that his successor would inaugurate those measures of reform which he could not do. The budget presented by the Finance Member has falsified that prophesy. According to the speaker's reading of figures the deficit was larger than what had been made to appear in the speech of the Finance Member. The Finance Member had drawn upon the reserve fund to meet the deficit though it was with an entirely different object that the fund was created.

Continuing the speaker said that unless there was an increase in the revenue the prospect for them was very dark. The speaker criticised the Railway capital expenditure, which he said, had been incurred from time to time not on the basis of financial capacity of the country but on the basis of Railway administration's capacity to spend. The Agents of Railways had been allowed to incur expenditure without specific allotment. He drew the attention of the Finance Member to the situation which required a thorough revision.

Dr. MOONJE asked the Government whether they had understood what was the present need of the people of India. Had Government done anything to satisfy the present need of the people of India, who had grown much discontented? Dr. Moonje also asked what had the Government done to help the establishment of self-Government in India. He further said that he would like to compare the condition of the people in India with that of the people in the Dominions of British India in respect of military. He compared and quoted numerous figures to show that India had practically nothing to boast of by way of having territorials or having cadets. Dr. Moonje also compared the amount of money spent on above things in Australia, New Zealand and England with the amount spent in India.

After Dr. Moonje Pandit MALAVIYA spoke. He prefaced his speech with an expression of gratitude on behalf of the Benares Hindu University for a grant to the University. He then referred to the suggestion of new taxation which loomed large on the horizon and said that retrenchment was the only course. He was entirely opposed to British troops being called in settling internal troubles and suggested reduction, if not abolition, of internal security on British troops.

Continuing the Pandit said the Finance Member would commit a blunder if he thought that India was rich and he invited the Home Member and the Finance Member to move in villages and study conditions for themselves. He then referred to the ratio and said that the feeling in business circle was that it had created a disaster. Only two days ago he was told that many business firms had failed as an effect of the new ratio. He drew the attention of the Finance Member to the fact that at Lahore European businessmen had invited some Indian businessmen to co-operate and carry on agitation against the present ratio. As to the difficulty of re-opening the question Pandit Malaviya thought that if 1s. 4d. ratio after standing of about 20 years could be deliberately increased, there should be no difficulty in undoing the mistake. He denied the suggestion that India accepted the ratio and said that non-official members had almost solidly voted against it. He did not want to say any unpleasant thing, but he said that there was a terrible amount of canvassing on the part of Government. He again appealed to the Government to change the ratio and said that the result might be "dislocating", but would not be "disastrous".

Sir George SCHUSTER, replying to the debate, thanked the members for the kind words they had used towards him. He divided the speeches of members in two parts, hostile criticism and helpful suggestion, and admitted that the latter predominated. With regard to criticism he said that careful reading of his original speech could not but bring one to the conclusion that the course he had taken was the only path to follow with regard to the forthcoming budget. He had been criticised as being optimistic in his review of the situation. The account he had given was meant to show some of the direction of the future.

Continuing Sir George Schuster said he had been told that it was a deficit budget. Comparison of figures for three years, beginning with 1927-28 would



show steady improvement. He called it a process of filling up the gap which had been laid bare by the remission of provincial contribution.

Referring to the question of foreign borrowing Sir George Schuster said : "We have to face realities. We are committed to a certain programme which must be carried out. My policy is to control effectively the capital expenditure. Our commitments might necessitate foreign borrowing."

Referring to capital expenditure the Finance Member said that up to 1928 the Railways involved an outlay of Rs. 669 crores and irrigation 111 crores.

Sir George Schuster continuing welcomed the hand of co-operation proffered by Sir Purushottamdas Thakurdas. He did not agree with Sir Thakurdas's fluctuation in the market price of shares that it was due to external causes. But it might as well be due to the management and other internal causes. He discussed the matter with the Commerce Member and agreed with him as to the necessity of compiling more reliable statistics which would enable them to grasp the real situation in the country. He hoped that out of the banking enquiry which they were inaugurating some valuable data might be found. Referring to Mr. Jammadas Mehta, Sir George said a comparison of the bank rate figure between England and India would not enable them to arrive at the true conclusion. Referring to the criticism regarding absence of provision for grant to the Aligarh University the Finance Member said that at present the whole of the organisation of the Aligarh University was under consideration and no definite scheme was available. As soon as it was available Aligarh will be put on the same footing as the Benares University.

Referring to Pandit Malaviya's speech urging the Finance Member to keep an open mind on the ratio question, Sir George Schuster said that he had dwelt at length in his speech why it was not possible for him to keep an open mind in this respect. On this particular question he thought it was to the best interests of the country that he should make his statement as definite and clear as possible simply to show that in this matter Government had taken a definite procedure and could not go back upon it and they must carry out that policy with all resources at their command. It was far better that a definite and precise statement should be made leaving no room for speculation which would otherwise have a detrimental effect on the business world. Finally the speaker said that there was enough common ground where different parties without prejudice to their political belief could co-operate with one another for the common benefit of the country (applause).

After several other speeches the general discussion of the Budget concluded and the House adjourned.

#### THE TARIFF BILL.

On the 6th MARCH Sir George Rains was able in half an hour to get passed his Tariff Bill without any change. It imposed 5 per cent. *ad valorem* duty on all classes of rubber, insulated wires and cables other than specified in the item 90-A of the schedule. It also imposed a specific import duty on printing type of one anna per pound instead of 2½ per cent. *ad valorem*. It omitted black rod cables.

#### TRANSFER OF PROPERTY ACT (AMENDMENT) BILLS.

Sir B. L. Mitter next introduced two Bills amending the Transfer of Property Act. These, he explained, were the result of most laborious work lasting for several years. The first Bill was drafted during Sir William Vincent's time and then the late Mr. S. R. Das had two Bills drafted as a result of the labours of an expert committee which examined every single reported case bearing on the clauses of the Bill. The Bills were introduced but lapsed in the interval. They were again taken by him to remove some clauses in the light of criticism offered on the Bill, the opinions received and in the light of judicial decisions since 1927. It was a lawyers' Bill being very technical, but nevertheless it was a most important measure and had received a full measure of scrutiny and consideration.

Eventually both the Bills were referred to a select committee consisting of Messrs. Mahomed Yakub, Jinnah, N. C. Chunder, Sessa Iyengar, Shah Nawaz,

V. V. Jogiah, A. N. Dutt, M. S. Aney and Anwarul Azim and the Law Member. The House then adjourned.

### Voting on Demands for Grants.

On the 7th MARCH the House re-assembled to vote on demands for budget grants. At the outset the Government sustained a heavy defeat on Mr Kelkar's motion for a token cut of Rs. 100 in the demand for grant under "Salt" to discuss the possibility of making India self-supporting in respect of her salt supply. The motion was carried by 61 to 43 votes amidst non-official cheers. The Congress, Nationalist and Independent parties all solidly voted for the motion. Most of the members of the Central Moslem Party were absentees.

### "FINANCE DEPARTMENT" DEMAND.

After this Sir Victor Sassoon moved that the demand under the head "Finance Department" be reduced by Rs. 100 to discuss the borrowing policy of the Government of India. Sir Victor was in possession of the House when the President adjourned the Assembly till Monday.

On the 11th MARCH Sir Victor resuming his speech emphasised that every rupee taken for Government loans in India after the limited capital available for investment, meant the loss of a rupee for the development of India's industry and commerce.

He urged foreign investors' help for Government loans at a low rate of interest and that of Indian investors for commercial and industrial programmes. Even Soviet Russia, he said, was straining every nerve to obtain capital from abroad for industrial programmes.

If the lending country had no fear of the payment of interest or the repayment of capital then there could be no question attaching to the conditions to any loan nor in practice had India been debarred from dealing with the proceeds of a loan in the way she had thought best. He had never heard of any investor in India's sterling issues suggesting that India shall not be at liberty to buy Belgian rails.

Mr. B. Das interjected : But Government does not allow us to buy.

Sir Victor Sassoon : There are no restrictions. If there are to be any restrictions in future or any conditions to be laid down, they must be clearly defined in the terms offered. It was by a conservative financial policy that India has been able to borrow money on more favourable terms than most of the colonies.

Referring to the suggestion to purchase the B. N. W. Railway, Sir Victor Sassoon pointed out that £18 million were needed while India was not likely to obtain more than 15 crores of new money yearly, for the next few years, in the London market.

He was informed that if the Railway was bought over the cost of administration would be reduced and the service improved. But bad service was better than no service and Sir Victor was of the opinion that new parts of the country should be opened rather than the purchasing of existing lines however much this might be desirable. Concluding, Sir Victor observed that Government should adopt three courses, firstly, to take advantage of the favourable money markets even if the agency cost might be slightly high for the moment, secondly, to satisfy India's capital needs as far as possible in the London money market before absorbing the available liquid capital in this country and thirdly, in the use of funds available for capital expenditure never to lose sight of the fact that the agriculturist must come first every time.

After Sir George Schuster had replied to the debate Sir Victor Sassoon withdrew his cut and the Finance department demand for grant was voted.

### DEMAND FOR EXECUTIVE COUNCIL.

Sir George Schuster then moved the demand for grant for the Executive Council, (Rs. 66,000).

Pandit Motilal NEHRU moved that the entire grant be reduced to Re. 1. There were cheers both when he rose to move the cut and when he read out his motion which would reduce the grant to the handsome figure of Re. 1.

The Pandit said that his motion was a hardy annual which had now

become firmly implanted in the soil of the present constitution. He remarked that this hardy annual thrived in the rich soil of what was known as benevolent despotism, receiving continuous nourishment from the stream of executive highlandness which careered merrily along in its uninterrupted course throughout the year. It was an evergreen which came into blossom about this time of the year with what looked like a promise of rich harvest of fruit, but the very vigilant bureaucratic gardener, who knew that the fruit was likely to be poisonous for him, took care to gather the blossom before it could fulfil its promise. This process had gone on from year's end to year's end, the tree becoming stronger every year and the annual blossom, richer and richer, but always gathered before there was any sign of fruit. The only consolation for those to whom the fruit was not a poison but nectar was that the tree was still growing and that the blossom when it next appeared would be out of the gardener's reach. (Hear, hear.) That hardy perennial was the national demand and the time had now come when it was beyond the power of autocracy to prevent the fruit in the ordinary course of nature. 'To those who have eye to see it ought to be clear that all further attempts to hinder or delay this natural course are bound to end in disaster. Qui quariel is with the present system of administration, of which the Executive Council is the fountain-head.'

Proceeding, Pt. Nehru recapitulated the history of the demand from February 1924, when a motion was put forward in the Assembly for the grant of responsible government and the summoning of a representative round table conference. Though the resolution was passed by an overwhelming majority, the response which came from Lord Oliver was unsatisfactory. The Muddiman Committee, which was a purely departmental enquiry, was appointed. The Assembly, disappointed, refused the first four budget grants and rejected the Finance Bill in March. All the grants were restored and the Bill was certified. This was followed by repression in Bengal.

In December, 1924, the country unanimously supported the national demand and condemned repression. In February, 1925, the constitutional demand was reiterated on the demand for the Railway Board grant and the Executive Council grant. In May, Mr. C. R. Das made a generous offer which was rejected by Lord Birkenhead. The Muddiman Committee published the report with majority and minority recommendations. Lord Birkenhead refused to grant the weighty recommendations of the minority.

In August the Assembly reaffirmed the national demand and indicated the lines on which a scheme of responsible government was required. He himself told the Government that they were willing to co-operate on their own terms and ready to discuss those terms with the representatives of the British Government, but that they would not submit to any constitution imposed from outside. That offer was rejected and the Congressmen decided to go into the country at the elections in support of the national demand and walked out of the Assembly after making a statement.

Between January to March, 1927, all parties accepted the national demand, which was again repeated on the occasion of the demand for the Executive Council grant. Between May and December that year steps were taken for communal and political unity and an agreed national constitution.

But the Government appointed the Simon Commission against the wishes of the people of India. The boycott of the Commission was carried in the Assembly, which repeated the national demand. At the same time there was an All-Parties Convention which decided on framing a constitution and to continue the boycott of the Commission. Of course Sir John Simon and his colleagues would return to Delhi—and leave for England, much to the relief of the whole country. (Laughter.) The Congress party had nothing to do with the Commission and even if the Simon Report satisfied other parties it was not going to satisfy them. Indeed, all indications showed that the Simon Report would satisfy none except the European group and the Treasury benches.

Pandit Motilal Nehru explained how against time the Nehru Committee had ceaselessly worked and framed a constitution based on the con-

stitutions of the Dominions and claimed the same form of full responsible government which the Dominions enjoyed. This was the latest form of the national demand. So far as the basic principle was concerned the whole country and all shades of opinion, political, religious, commercial and industrial, were fully agreed. (Hear, hear.)

There is, of course, an important wing of the Congress which aims at complete independence, but there is no section of people who will have anything less than full Dominion status. As for the independence wing, it has also agreed to adopt the constitution proposed by the committee if forthwith conceded by the Government. I am not asking the House to adopt the report either in whole or in part. I mention it as an important event to emphasise the fact that so far as the Government is concerned we are at one in demanding full responsible government of the Dominion type. (Applause from non-official benches.)

"No doubt there are certain points arising out of the general scheme of communal settlement proposed by the committee which are a subject of controversy between certain sections of Hindus, Mussalmans and Sikhs. Having regard to the magnitude of the task undertaken by the committee, I make bold to say that the existence of these points is no matter for surprise. Such differences must in the very nature of things arise in all countries inhabited by several communities when an attempt is made for the first time to frame a constitution. Such differences have a way of settling themselves when the people are faced with bigger issues involving immediate decision and prompt action. Without in the least attempting to depreciate the attitude adopted by any section of the communities concerned or pronouncing any opinion on the respective view-points, I say that the root cause of these differences lies in the common distrust of the Government.

"I have heard responsible politicians say that they would not insist upon this or that point if they were only sure that the Government would concede the main demand for Dominion status based on adult suffrage. But as that is not to be, they feel they would be seriously handicapped if they resile from the position taken up by them. There is also the necessity of additional safeguards to meet the situation which might arise by the Government forcing some half-hearted measure of reform on the people. I am certain that no sooner does full Dominion status become an accomplished fact than all differences will automatically adjust themselves. (Hear, hear.) If this is not coming, in the terms of the Calcutta Congress resolution, nothing contained in the Nehru Report will bind anybody and the Congressmen will be free to follow their own programme and invite the country to join them.

"The door of negotiation and compromise is still open and will always remain open. No constitution, however carefully drawn up, can subsist for all time to come. Whatever defects there are in the Nehru Committee scheme will be easily removed by mutual settlement sooner or later. So far as I am personally concerned, I would willingly concede the demand made by either party if only the other party would agree. But in the absence of such an agreement, we must await and find some formula acceptable to all. That formula will be found the moment there is reasonable certainty of full Dominion status being established, if not long before."

Pandit Motilal Nehru, addressing the Treasury Benches said. "Do not seek shelter under the few points of difference that remain to be adjusted. Come out with what you really have in your minds. If you are prepared to concede full responsible government and take the necessary steps to bind yourselves to your promise, we shall have no difficulty in presenting an agreed constitution on the basis of full Dominion status.

"We on this side have nothing to do with the Simon Report or anything to be done on the basis of that report. But we are always willing to confer with representatives of the British Government on equal terms, provided India has the predominant voice and any agreement reached in such a conference is duly given effect to by necessary legislation. The Viceroy has said that Parliament

would not reduce itself to a mere register of the decisions of other persons. It will not be the first time in the British history for Parliament to register a constitution framed by a people in consultation with the representatives of Great Britain. This was done in the case of South Africa, the Irish Free State, and also other Dominions. We do not deny that Parliament is supreme, but giving effect to mutual agreements and understandings between two great peoples will not in the least detract from that high position but add to the credit, honour and dignity of the great mother of parliaments. (Hear, hear.)

'Sir John Simon's recent statement holds out the hope of a constitution being framed by Great Britain and India together. We cannot allow ourselves to be deluded by such pious hopes. I attach no more importance to it than there is in the usual invitation to the famous parlour.'

Proceeding, Pandit Nehru referred to certain ominous events happening in regular cycles of ten years. In 1917 the Montagu deputation was appointed, in 1927 the Simon Commission was appointed. In 1919 the Rowlatt Bills were passed over the heads of the Legislature, in 1929 there were the Public Safety Bill and the Trade Disputes Bill before the Assembly. In March, 1919, Mahatma Gandhi was arrested in the agitation against the Rowlatt Bill and was released. In March, 1929, Mahatma Gandhi was arrested and released on personal recognition. On the sixth April, 1919, the Jallianwala massacre was perpetrated. Who knew what would happen on the sixth of April, 1929? But Mr. Colvin's book had been published justifying the action of General Dyer. Pandit Motilal read out the writer's observation that Genl. Dyer was human, a man who knew and loved the Indian people and was loved by them both before and after the Jallianwala Bagh tragedy. Pandit Nehru added that the Non-co-operation movement was started in 1920—it had been again announced to be started in 1930.

Concluding, he said.—'No lover of the country can contemplate lightly the implications of the non-co-operation movement. If we are driven to resort to non-co-operation we shall be ready to take the consequences. As for the duty of the Government to govern I fully agree. But there is the duty of the governed, that is, to secure just government for themselves on principles fully recognised all over the world and to spare no sacrifice, no suffering, however great, to achieve that end.' (Applause.)

Mr. CRERAR replying to Pt. Motilal said that Pandit Motilal Nehru had some advantage over him in preparing a deliberate speech, while the speaker could not have known its tenor. The Pandit, in condemning the inconsiderateness of the Treasury benches had indulged in a little metaphor that members of the Government had had deliberately prevented the blossom from reaching fruition. Nevertheless the Pandit had admitted that the tree still continued to grow and flourish.

*Pandit Motilal Nehru.*—Because of the soil.

*Mr. Crerar.*—On what did this blossom grow? That tree, Sir, is the system of government, the opportunities for parliamentary debate and development which the existing constitution allows. ('Hear, hear' among officials and ironical laughter on the Opposition benches) It is because of this that the tree exists and continues to produce blossoms. That shows the deliberate intention of Parliament in setting up the existing constitution in India. It represents the hopes which were then entertained by Parliament in taking that action and it represents, further, the honest and consistent course of policy with regard to that Parliamentary pronouncement which the members occupying these benches have consistently endeavoured to follow. (Applause on the official benches.)

*Pandit Motilal Nehru.*—I call it the tree of discontent.

*Mr. Crerar.*—The parable is open to other interpretations, but no one will deny that the interpretation I have given has a historical justification.' (Cheers.)

The Home Member said that he did not wish to follow the Pandit in reviewing the general course of political events in the seven or eight years, but anyone who read the debates of 1924 on the national demand would have the impression that the resolution adopted a changed complexion with the environ-

ment and that one part of the House put on it an interpretation different from the other. (Opposition benches : 'No, no,') When that was so, there could at least be some difference of opinion on the Government side of the House. What were these demands wherefor so complete an unity was claimed? Mr. Crerar said that he did not wish to reply to the concluding portion of the Pandit's speech or use language of offence. Let them admit, whatever their individual opinions might be, that they were confronted with a situation which all should endeavour to approach without prejudices and without passions. 'I assume from the circumstances and the form of the Pandit's speech that he invites the Government of India to enter into the great questions of controversy which are now distracting the country. On reflection he will agree that that is not a very reasonable invitation.'

*Pandit Motilal Nehru*—My question is simple and straight. Are you prepared to concede full Dominion Status for India, whatever the differences with regard to conditions and details of the scheme?

*Mr. Crerar*—I do not propose to embark upon controversial questions (laughter on the Opposition benches) which may or may not be of a subsidiary character, though my reason for doing so is somewhat different from those of the Pandit. But to the particular question which he puts me, I have a very plain and a very simple answer. It was given in this House in words more eloquent and more significant than those which I am employing, by the Viceroy. My answer is that the Government of India stand now, as they must continue to stand, on the Parliamentary declaration of 1917 and the consequences which flow from it, and that Parliament having appointed with special authority a tribunal of enquiry on these grave matters, we can do no more than say that we loyally adhere and will endeavour to carry out, in the spirit and in the letter, that pronouncement of Parliament and that we must await the results of the Statutory Commission which is now proceeding. (Applause on the official benches.)

Proceeding he said 'I have endeavoured to give a plain answer to the particular question put to me, but beyond that I do venture to appeal once more to this House and all who are concerned in the great matters of enquiry and the controversy now pending to enter them with a very grave sense of their moment and their magnitude and a recognition of the fact that these are questions which can be solved only by commonsense, good temper, wisdom and by foresight and trust. In that spirit the country will pursue further the consideration of these great questions and in that spirit the House will give its judgment on the motion now before it. (Prolonged applause.)

Discussion was resumed on the next day, the 12th MARCH when MOULVI MAHOMED YAKUB questioned Pandit Motilal Nehru's assertion that the principles of the Nehru Report had been accepted by an overwhelming majority of the people. He reminded the Assembly that since 1921 he joined Pandit Motilal Nehru in pressing the national demand on all occasions.

He even moved an amendment to Pandit Motilal Nehru's motion in 1924, in order to safeguard the interests of the minorities. That amendment was adopted by the Assembly. The Mussalmans, as a community, were not behind any other community in regarding the freedom of the motherland (hear, hear,) but an overwhelming majority of the people of the country did not accept the principles underlying the Nehru Report. (Pandit Motilal Nehru : Question.)

Moulvi Mahomed Yakub Pandit Motilal's son has rejected the principle of the report by asking for independence, and his lieutenant, Mr. Srinivasa Iyengar, is against Dominion Status. The Mussalmans, with a few exceptions, have rejected Dominion Status in the form laid down by the Nehru Report.

Pandit Motilal : Do you want independence?

Moulvi Mahomed Yakub : We want nothing short of responsible government with due safeguards of the rights and interests of Mussalmans, and the other minority communities. (European Benches applause).

Dewan Chamanlal asked the European group : Are you in favour of responsible government?

Colonel Crawford : We say with due safeguards of the interests of minorities,

Moulvi Mahomed Yakub continued : The attitude of the Mussalmans was clearly explained in the resolutions adopted by the All Parties Moslem Conference which was more representative of Mussalmans than any conference of any other community ever held.

Pandit Motilal Nehru : Is this relevant to the motion ? I have made it perfectly clear that I did not seek the verdict of the House on the Nehru Report.

Moulvi Yakub : The Pandit has mentioned certain facts which happened last December and I want to narrate other facts.

The President : I would ask the Deputy President to avoid a controversy and prevent importing heat in the debate.

Moulvi Yakub : We Mussalmans have tried our best to extend the hand of fellowship by joining the All Parties Conference last year, but when we found that the Congress resolution of 1927 was turned down, and when we noticed the treatment meted out to the greatest nationalist Indian Mussalman, Mr. Jinnah, at the Calcutta Convention, we are obliged to express our doubts.

The Mussalmans' National Demand is contained in the resolution of the All Parties' Moslem Conference held at Delhi for a federal Government which was practically the same as adopted by the Liberal Federation under the Chairmanship of Sir Chimanlal Setalvad.

We Mussalmans are not satisfied with the response Government have made to the National Demand, but, at the same time, we do not want an advance in the direction suggested in the Nehru Report, but in accordance with the resolutions unanimously passed by the All Parties Muslim Conference at Delhi.

MR. MAHOMED ALI JINNAH said that whatever form the national demand took, from time to time, all agreed that there should be responsible Government in this country, with adequate safeguards for the protection of minorities. They were to-day to judge the action of Government, how far it responded to that demand. Referring to Pandit Motilal's speech, he said that there was a great deal in it with which he agreed, but also much more in it with which he could not agree.

"Speaking with all responsibility, I make it clear that I am not in accord with the Congress policy or programme. I stand here firmly and deliberately assert that the policy of my school of thought is in favour of the establishment of responsible Government, nothing less, nothing more. My second point is—and I do not wish to enter into a controversy but must make it clear—that the Nehru Report, speaking now on behalf of the Mussalmans, is nothing more than a counter-proposal to the Moslem proposals and has not been accepted by the Mussalmans.

Pandit Motilal : By a section of them.

Mr. Jinnah : I know the Nehru Report is the pet child of my honourable friend, but the sooner he realises that it is not acceptable to Mussalmans, the better.

Pandit Motilal : It is.

Mian Shah Nawaz : Take a division on this point.

Mr. Jinnah : I can only repeat that it is not, but my purpose in standing here to-day is—I am not called upon to record my vote in favour of the Nehru Report.

Pandit Motilal : I am not asking you to do that.

Mr. Jinnah : I challenge any one to take a plebiscite. I say it is not acceptable.

Pandit Motilal : I say it is.

Mr. Jinnah : If my friend Pandit Motilal remains under a delusion, he will fail in the object which all of us have at heart. I am not going into the controversy further. Pandit Motilal tells the Government that the door is still open, but I tell this House and the country outside.

If you wish to live as decent men in this country, settle the Hindu-Moslem question. If you want to cease to be pariahs in the world, settle this question. If you settle it, you will acquire a sanction which the supreme authority of Parliament—whom Pandit Motilal has admitted—will have to take note of.

Mr. Jinnah : "Let us not raise a controversy among ourselves."

Pandit Motilal : "Who is doing it ?"

Mr. Jinnah : "You".

Pandit Motilal : "You". (Laughter). "I didn't raise a controversy at all."

Mr. Jinnah : "Good gracious, I could have interrupted him. I showed better

taste. He is the leader of a party. I must hear every word he says, but he follows a different course, which I very much regret."

Mr. Jinnah continued: "Having made my ground clear, let me turn to the Home Member. He said he was not prepared for this debate. May I ask him if he is not aware of the resolutions passed by this House since 1921. What is his response? We are told there is the Statutory Commission. I do not want to enter into a controversy, but the Commission was certainly not a response to our demand."

"We are told to-day that the Government of India stand by the Declaration of 1917. Why do you keep repeating the formulation?"

Continuing, Mr. Jinnah recalled the history of the resolutions passed by the House demanding constitutional reform, and the appointment of the Muddiman Committee. Then came the famous speech of Lord Birkenhead in July, 1925, challenging India to draw up her own constitution and since then Indian politicians' minds had been exercised in the direction of framing a constitution, which in Mr. Jinnah's opinion was a great mistake.

Lord Birkenhead had told them that the British Government were not slaves to dates but that the date of constitutional reform could be accelerated. However, the Simon Commission came as a bolt from the blue.

"What a response!" Mr. Jinnah asked. "Is the Home Member satisfied with it? We are told: 'Oh we have appointed the Commission who are engaged in their enquiry. Nothing more can be done until they publish their report. Is that all we have to listen to here? How can we acquit you of the charge that you have failed to take any steps towards making any adequate response to our repeated demands?'"

"This is the real issue before the House and I say there is only one course open to us. That is to pass this vote of censure against this Government."

After some further discussion the motion was carried by a majority of 11. The House then adjourned till 14th.

#### ARMY DEPARTMENT DEMAND

On the 17th MARCH Sir George Schuster (Finance Member) moved that demand under the head of the Army Department be granted.

Mr. C. S. RANGA IYER moved that it be reduced to one rupee in order to censure Government's military policy and the re-establishment of a military college in India. Mr. Ranga Iyer referred to Lord Rawlinson's announcement accepting the demand for establishing a military college in India as soon as funds permitted. Shortly after, Lord Rawlinson resiled from that position and threatened to proceed warily. The Sandhu Committee was appointed in response to the persistent demand of the Assembly. It was presided over by Sir Andrew Skeen whom Mr. Jinnah had rightly described as a conscientious soldier of the Empire. The Committee recommended the establishment of a College in 1933 but last year the Commander-in-Chief announced the rejection of this recommendation.

The recommendations of the Skeen Committee did not satisfy Indian opinion which wanted not merely one college at Dehra Dun, but colleges in all provinces, if the spirit of Mr. Montagu's announcement of 1917 for the progressive realisation of responsible Government was adhered to as sincerely as Mr. Cieri had stated it would be. It was impossible to envisage self-Government without self-defence for which the army must be Indianised. The Skeen Committee suggested a time table for Indianisation of 50 per cent. in 1952. Even this most cautious recommendation was turned down by the Army Department at the dictation of the War Office and Whitehall who were guided by Imperial considerations.

Mr. Ranga Iyer protested against the eight units scheme as racial discrimination, and quoted the Skeen Committee's recommendation for its abolition. Another Imperial aspect of Army policy was that while, the British Government contributed towards the expenditure of the army in Canada, Australia and the other Dominions, it paid nothing on the Indian Army which was kept as an Imperial force to be used in Arabia, Singapore and other Imperial strategic points.

MR. MACKWORTH YOUNG, Army Secretary, replying to Mr. Ranga Iyer's motion, said that two years ago, both the Finance Member and the C-in-C. feared a definite increase in the military budget. But that prospect no longer threatened



them. On the other hand, after 3 years, there will be a considerable reduction in the Army budget. Col. Crawford had suggested that lectures should be given in the Staff College, interesting Officers in the need for Army economy. That was very much the way in which the economy campaign was started.

Mr. Bula had stated that the economy campaign leading to two crores reduction in the Army budget showed that there must have been appalling waste till now. The speaker told the House that economy had not been a easy matter, and such criticism was not likely to encourage further efforts at economy.

The Army Secretary said that he could not understand how the critics of Government, who were prepared to accept the Skeen Report, found the Government orders on that report wholly unacceptable and inadequate. He maintained that the Eight Unit Scheme was a far more efficacious and rapid system of Indianisation of the Army.

When the scheme was started there was a tendency among Indian officers to look down on these units; but that had entirely disappeared. Whatever units had been selected would be completely Indianised in 22 or 23 years.

As regards an Indian Sandhuist, the Committee recommended its establishment by 1933, as it was anticipated that by that time more cadets would qualify than Sandhuist could accommodate. The Army Secretary assured the House that when such a contingency arose, a Military College would be established in India. Government had the matter in hand.

Government also had in contemplation the establishment of the Kitcheni Military College where young promising Indian officers holding the Viceroy's Commission will be trained up to Platoon Commanders. This College will also provide the required number of Indian officers who will be sent to Sandhuist for the King's Commission.

Government expected to obtain greater expansion on these lines, and when the time came for the establishment of an Indian Sandhuist, they would have had the experience of a Military College up to the standard of platoon commander.

This was a better method of laying the foundations of a Military College than on the lines recommended by the Sandhuist Committee.

Referring to the question of a Territorial Force, the Army Secretary said that they were still short by 1,600 of then sanctioned battalions which were full only in the north where the material was the same as joined the regular army.

The purpose of the Territorial Force, on the other hand, was to give an opportunity to what were mainly called the non-martial classes. He hoped that Indian leaders would, instead of criticising Government do something to bring the force up to the required strength for it was by the development of the Territorial Force that they would ever have a national army.

The speaker assured Col. Gidney that the Inner Committee's recommendations about the establishment of army headquarters had effected economy while Haseltine's recommendations about the ministerial establishment it was hoped, would yield an economy of two to three lakhs a year.

The motion was lost without a division.

COL. GIDNEY next drew the attention of Government to the hardships of the Indian Medical Department by moving a cut of Rs. 100.

It was impossible for the Indian recruited Assistant Surgeon, he said, to reach the grade of major. The Indian to-day was penalised for his Indian recruitment, while those recruited abroad got better facilities. The motion was by leave withdrawn.

Col. Gidney further raised the question of the pensions of I. M. D. and I. U. L. Officers who retired between 1919 and 1927. He complained of the difference in rates and said that this was in violation of the promise given at the time when the rates were sanctioned. The number who suffered were four hundred which was small but their case was just.

Mr. Mackworth Young pointed out that the scheme did not confer upon the Medical Department the same rate of payment as was granted to the unattached list. Nor could the suggestion of retrospective effect be accepted. The motion was lost.

Col. Gidney was very successful when next he pleaded the cause of temporary I.M.S. officers. He bitterly complained of the differentiation in treatment between the Indian temporary officers in the service and those recruited in England. Within six years, the junior Captain recruited in England was made senior to the Indian officer, however experienced he might be. The Britisher was allowed to go home on long leave, whereas the Indian Officer was denied leave to go to England to obtain more knowledge.

Mr. Mackworth Young said that the number of temporary members of the I.M.S. was only 150. They came on a temporary basis, signing an agreement every year with the knowledge that their services might be dispensed with at the end of the year. There was no comparison between the temporary service men and the permanent officers who had the option of retiring after six or ten years.

Col. Gidney's token cut was put and carried.

Mr. J. K. MUNSHI moved a cut of Rs. 100 to protest against the absence of a single Burmese regiment in the Indian army. He held that there was no substance in the Government's argument that it was difficult to secure the right type of Burmese on the pay of the Indian sepoy and that the Burmese did not like soldiering and were not amenable to discipline.

MR. MACKWORTH YOUNG replied that India had a small army, which was necessarily confined to the very best material they could get. There were many good martial races in India which had to be kept out as better material was available. The cut was put and carried by 50 votes against 10.

All amendments having been disposed of, the demand for the Army Department stood at the original figure minus Rs. 250.

When the President proceeded to put the demand to the vote Mr. M. A. Jinnah rose to oppose it. He said that he wanted to discuss the policy of Indianisation and the report of the Sandhuist Committee, notice of which had been given by Mr. Ismail Khan, a member of the Independent Party.

Mr. Kanga Iyer wanted a ruling from the Chan whether Mr. Jinnah could raise the same question that had already been discussed on his motion which had been rejected.

Mr. Jinnah contended that he had a right to oppose the motion and traverse issues not necessarily the same as those mentioned by Mr. Kanga Iyer.

Mr. Keane expressed the view that the motion was raising substantially the same matter and could not therefore be put again.

The President: Then the Chan has not to put the reduced demand under the army to the vote. (Laughter.)

Mr. Keane held that the Chan was entitled to put the reduced demand but a discussion on the same subject could not be raised once again. He relied on the House of Commons' practice in support of his view. (Applause.) He further argued that the House could raise other points but not the same.

Mr. Jinnah remarked that it was open to the House to condemn the Government on the ground that they were not proceeding satisfactorily with the question of Indianisation as well as with various other recommendations of the Sandhuist Committee's report.

The President: Then Mr. Jinnah is challenging my ruling.

Mr. Jinnah: I submit that your ruling was not right.

The President: Whether Government are censured or not does not concern me, but I am concerned to know whether the Chan is or is not entitled to put the same question again.

Mr. Srinivasa Iyengar thought that if Mr. Jinnah or any member had a right to oppose the reduced demand he could speak on all the issues even though they might have been referred to in the amendments to the demand.

Mr. Cieria differed from Mr. Iyengar's view.

Sir Victor Sassoon wanted to know if members would be entitled to traverse the same arguments or points already dealt with under the individual cuts.

#### President's Ruling.

The President gave the ruling maintaining that no motion could be made raising substantially the same subject once discussed but permitting opposition to the whole

of the reduced demand. He said, "Standing Order 30 clearly stated that a motion must not raise a question substantially identical with a motion on which the Assembly had already given a decision in the same session."

"If Mr. Jinnah wished to move any motion on which a decision had already been given by the House, he would be entirely out of order."

"It was entirely on that ground that he disallowed Mr. Ismail Khan to move his cut. It was a motion raising a question substantially identical with that discussed on Mr. Ranga Iyer's motion."

"What Mr. Jinnah proposed to do, however, was to oppose the main motion. He was entitled to do so and in doing so he was entitled to state the grounds for his opposition. He did not see how he could disallow Mr. Jinnah from stating grounds in favour of a motion opposing the whole demand."

"It was no doubt true that some arguments Mr. Jinnah might use could have been advanced on the motion of Mr. Ranga Iyer but that did not prevent him from taking advantage of another opportunity."

In support of this ruling the President quoted a similar ruling given by Sir Frederick Whyte, the first President of the Assembly, in 1921, when the North-West Frontier Reforms resolution was discussed. There, in similar circumstances, Sir Frederick Whyte permitted Munshi Iswar Saran to make his observations by saying "that the whole debate is open on the main question."

Mr. Chelani wanted to know if Mr. Mackworth Young had the right to reply on behalf of Government to the debate on the main motion. The President: Of course.

Mr. Jinnah then rose amidst cheers to oppose the demand being granted.

MR. JINNAH said that his object in moving that the demand be not granted was to censure the Government on a specific and definite matter—the question of Indianisation of the Army and the failure of the Government to give effect to the recommendations of the Sken Report. That object would not be fulfilled as a result of the President's ruling. He would, therefore, simply record his vote against the entire demand to express his disapproval of the present attitude of the Government.

MR. ARTHUR MOORILL stated that both the supporters of the Government's policy and then critics took a wrong line in proceeding on the assumption that the present army policy should continue but that the difference of opinion lay merely on the question of Indianisation and army expenditure.

The speaker admitted that without ground troops no campaign could end, but instead of multiplying ground troops they should concentrate on mobility. Aeroplanes could be used for transporting troops, for carrying supplies to troops and for removing casualties.

MR. S. SRINIVASA IYENGAR declared that the real reason for the present army policy was that Government did not wish to surrender their key position in India by handing over defence to Indians. He challenged Government to license private military colleges and see how many men would come to ward for training.

Dr. B. S. MOONJI said that both the Sken and Sica Committees showed the way to get a regular flow of recruits for Sandhurst but Government had not adopted those recommendations. Indeed, Government pursued a policy of callous indifference to the problem of military education in India.

Dr. Moonjee had not concluded his speech when the House rose for the day.

On the 15th MARCH Dr. B. S. MOONJI, resuming his speech, said that there was a feeling in the country that the main difficulty in the way of the British Government's giving full military training to Indians was then pessimistic belief that Indians could never be entrusted with the defence of their country.

This view was definitely advanced by the late Lord Rawlinson, who thought that even if Indians were admitted to the army they would be so "fed up" with the whole show in a couple of years that they would give it up and go home. On the other hand, Indians held that they were absolutely fit to defend their country if opportunities for training were provided for them.

Dr. Moonji held that the belief about Indian incompetence was not based on actual facts, for which they ought to seek the help of history, the past records of achievement of the Indian people. The chronicles of India and England as written by Englishmen showed that only a hundred years ago the Mahratta army

was one of the finest in India and Dr. Moonji held that so long as the Mahratta race existed in the country in addition to other communities there could never be a paucity of good officers for the army.

The Mutiny, which he called the Indian War of Independence, provided another instance in the person of the Rani of Jhansi, who through her skill and ability resisted the forces of Great Britain in India.

The British people, after the break-up of the Roman Empire in Great Britain, were reduced to such a state that they did not know how to defend themselves. Such a race, by training and training alone, had built up an empire over which the sun never set. The speaker stated that if sufficient opportunities were provided in India they would turn out fine soldiers and capable officers.

In conclusion, he put a series of questions to Government.—What lead had the Government of India given to the provincial Governments with regard to the recommendations of the Skeen Committee? Did they propose to give any lead at all? Did Government intend to add such other sections to the Indian Territorial Force as artillery and artillery? Did Government intend to start a military college in India as recommended by the Skeen Committee? Did Government propose to start rifle clubs and associations in this country for schools and colleges? Were they prepared to encourage such enterprise if sufficient men came forward for the purpose?

As regards Indianisation of the army Colonel CRAWFORD said that substantial progress had already been made and he was glad that Government had accepted his suggestion to look to young Indian officers holding Viceroy's commissions for being trained as platoon commanders and later for promotion to higher ranks. This would result in a more rapid Indianisation of the army than the Skeen Committee's scheme would have done.

Dr. Moonji, in declaring that India had the military spirit, had confined himself to mentioning the Mahrattas, Sikhs and Rajputs. That was exactly the difficulty of the problem. India had many fighting races, but was not a fighting nation.

Dr. Moonji spoke of Mahrattas, Sikhs and Rajputs just as you speak of Irish, Scotch and English.

Colonel Crawford: You are not yet a nation. So long as attention is concentrated too deeply on the religious side of life and very little on the national side, you won't have an Indian nation.

Mr. K. C. ROY said that Colonel Crawford's speech had caused him the keenest disappointment. He still seemed to talk like a lieutenant-colonel in the army so that if he indulged in constitutional criticism he was liable to be court-martialled.

The speaker reminded Mr. Moore that there were several peculiarities with regard to the composition of the Indian army. A very substantial part of it had to be kept for internal security while a fixed ratio of white and black troops had to be maintained.

Colonel Crawford had harped on his favourite theme of promoting Indian officers to Viceroy's commissions, but the demand of this House for the last four years had been that sons of the intelligentsia should get into commissioned ranks—a demand which had been persistently ignored.

Munshi ISHWAR SARAN, opposing the demand regretted that Colonel Crawford and the European Group did not appreciate the depth of Indian feeling on the subject. How would they like it, he asked, if the defence of England was entrusted to Germans and Chinese? "Similarly we in India are anxious that the defence of our country should be in our hands and not in the hands of foreigners."

Mr. Gavin-Jones: No Dominion could get self-government so long as the British army remained to protect that country.

Mr. Jinnah: What about Canada?

Proceeding, Munshi Ishwar Saran said that Colonel Crawford did not realise the extent of the keenness of Indians to defend their own country.

Colonel Crawford: But there are difficulties also.

Munshi Ishwar Saran: I am coming to those difficulties. But they certainly are not the religious and social customs of the people. The eight units scheme had been started because Englishmen were not willing to serve

under Indians. Further, as stated by some prominent army authorities, the army was kept to keep down ambitious Indians and to find careers for young Englishmen.

Colonel GIDNEY, amidst cheers from the non-official benches, declared his opposition to the army demand because the Anglo-Indian community he represented had not been given a decent niche in the army except as clerks and duty farmers.

Mr. MACKWORTH YOUNG (Army Secretary), replying to the debate, said that the discussion concerning the relative value of ground troops and air forces between Mr. Moore and Colonel Crawford was on lines similar to those he was accustomed to witness in military circles and he could not promise that any radical change of policy would be effected with regard to the Air Force within this year. He expected that in a year or two the result of the present experimented measures would enable them to come to definite conclusions as to the extent of the revision of the present relations between the two arms of the army. The speaker was in agreement with the principles enunciated by Dr. Moon in his speech. The Government's acceptance of his proposition the other day for the encouragement of compulsory physical training games and miniature rifle ranges in schools and colleges showed the attitude in the matter.

Mr. Young continued, saying that as for the Territorial Force the provincial infantry divisions had not yet reached the standard of efficiency required and it was therefore too early to consider the addition of other technical arms to it. Urban units of the Territorials would be organised on the same basis as the Auxiliary Force but so far recruitment to these had not been encouraged. But if these urban units proved successful other technical arms would be added.

Concluding, Mr. Young rejected the Colonel Gidney had indulged in hyperbole. For the purpose of the army there were other communities besides Anglo-Indians who were more numerous and had military traditions, but who were not taken. The Anglo-Indians were entitled to receive King's commissions and for them special privileges had been given to set for examination in India.

The House divided as follows on Mr. Jinnah's motion -- For the motion 61. Against the motion 41. The entire Army Demand was thus rejected. The result of the voting was received with cheers on the non-official benches.

#### FRONTIER REFORMS

A plea for the introduction of constitutional reforms in the North-West Frontier Province on the lines of other provinces was made by MIAN SHAH NAWAZ (Central Moslem Party) who moved a token vote under the demand for the Frontier Province. He said that the Government's policy was one of moving backwards and asked whether it was a fact, as had been reported, that the Government of India in their memorandum to the Simon Commission had suggested the introduction thereof of reforms of the type of the "moth-eaten" Montagu-Reforms of 1919. It was by such delaying tactics, such reactionary policy, that Government encouraged the extremists to carry on a civil disobedience campaign.

After the foreign Secretary has replied to the Debate the vote of Mian Shah Nawaz was put to the vote and carried by an overwhelming majority—67 to 31—the majority consisting of Congressmen, Nationalists, Independents, the European group, the Central Moslem Bloc and a number of nominated members. The result of the division was cheered, Sir Denys Bray joining in the cheers. Thereafter all demands and grants were voted. The House then adjourned.

#### NON-OFFICIAL BUSINESS.

Non-official official business appeared on the order paper of the Assembly on the 10th MARCH. Sir Bhupendra Nath Mitra presented the select committee's report on the Trade Disputes Bill, which included a number of dissenting minutes.

#### WORKMEN'S COMPENSATION BILL.

Sir Bhupendra Mitra moved for the consideration of the Workmen's Compensation Bill and the changes made by the select committee. He said he had given a more precise definition of individuals to whom the Bill applied and related to the protection of the interests of workmen in receipt of compensation under the Act. The Bill passed without further discussion.

## INCOME-TAX BILL.

Sir George Schuster moved for the re-circulation of the Income-Tax Act (Amendment) Bill as reported by the select committee. He said that though the underlying principle of the Bill was not affected by the changes made by the committee, he was anxious that it should be re-circulated.

The House agreed to the motion. The House then adjourned.

## INSOLVENCY BILL.

Sir B. L. Mitter moved that the Presidency Towns Insolvency Act (Amendment) Bill, as passed by the Council of State, be passed. The House agreed.

## RAILWAY GRANTS.

Mr. P. R. Rau, financial commissioner for railways, moved nine supplementary demands for grants, totalling over 4½ crores, which were granted without a cut but there was a small discussion.

## Debate on the Finance Bill.

On the 18th MARCH, Sir George Schuster, moving consideration of the Finance Bill, announced that the Governor-General had restored to the original figure the demand for the Executive Council for which the Assembly granted only one rupee, and that the Governor-General had restored the demand under the Army Department with the exception of Rs. 200 for which two cuts were carried by the Assembly.

Following this announcement Mr. Srimvasa IYENGAR led the debate for the rejection of the Finance Bill.

He said it had been the custom of the Congress Party to move the rejection of the Finance Bill just as it was customary with Government to restore the grants rejected by the House. It did not require great imagination to picture to themselves where this state of things would lead to, Government's policy had been ostrich like, but it was not thereby going to retard the irresistible march of events.

They were bound to oppose the Finance Bill because the Assembly did not possess power over the purse. Hardly one-fourth of the expenditure was votable and substantial cuts made by the House were summarily restored by Government. Even when Government accepted token cuts the policy which determined that censure was not adopted. This was a violation of the principle that when cuts were not restored the adoption by the policy recommended was binding on Government. A constitutional deadlock had been created by a regular series of combats on the floor of the Assembly between Government benches and the popular parties. It was not covered by Government's normal practice of exercising the power of restoration—a power which was not meant to be used in such a summary and light-hearted fashion.

Instead of Government honestly following the Preamble to the Act guaranteeing increasing self-government, it was using reserve powers under the Act for rendering nugatory, even such powers as were granted by the Act. "We have found moderate statesmanship, reasoned speeches, sober vision, statistical details and elaborate conversations have all failed to change the heart of Government or make it do anything in the direction of Swaraj. More extreme politics in the Assembly has also failed. We are bound time and again, so long as our demands are not met, to try to reject the Finance Bill."

Mr. Kabiruddin Ahmed : Try to establish friendship with Moslems.

Mr. Srinivasa Iyengar : We have tried communal unity and political unity. Both have failed to bring sufficient pressure to bear on Government. We have done all we could, yet we are told that by working in this Assembly we shall be able to get this and that.

A review of the administration of the last twelve years showed that they had not given the country even good government. There was no national army and a huge military expenditure was incurred for the purpose of preventing the Indian people from obtaining their freedom. Education was being starved and indigenous industries were being neglected. There was no national cabinet and therefore the present Government had no national policy. The taxable capacity of the people was decreasing while taxation was increasing.

"The Treasury benches may be immovable but the finger of time moves on. It is not writing for all time in favour of the British connection. It is writing for its doom. I claim that British administration, far from making millions prosperous, has reduced them to poverty. Do not judge by the comforts enjoyed by the members of this Assembly or by the members of the Treasury benches, or by capitalists like Sir Purshotamdas Thakurdas, but judge by the average income of the masses. Never was any administration in the history of the world so grossly oppressive as this administration.

The textile industry had been starved. Prohibition had not been introduced. Third class travelling was a most painful sight. India's shipping had been killed. The labouring classes were starving. The salt-tax was still there. Government instead of encouraging Swadeshi, was working against the boycott of foreign goods. His experience of the Assembly and of the British people has made him a great pessimist though he was an optimist about the future of his country and about the Indian people. "We know what we want and we know how to get it. The independence movement is growing and even those who talk of dominion status are in their heart of hearts for "independence."

Mr. Rangaswami IYENGAR, opposing the Finance Bill said that it was a formal motion in the Montford era, for even if the bill was not passed, the salt duty would continue to be levied, the postal rates would be maintained, and so on. This small mercy had been given to the Assembly to do duty for what in other countries was a very real financial operation on the part of the legislature.

The present budget was a hand to mouth budget and the Finance Member had threatened them with additional taxation after an inquiry. This at a time when Government had several reserves as assets. No inquiry was needed in order to find out what sources should be tapped for additional taxation but to ascertain which item of taxation should be reduced or abolished. If Sir George Schuster would pursue his task in a spirit of service to India he would find not only that there was no room for fresh taxation but that the present level of taxation should be perceptibly reduced. The rigour and injustice of the 1s. 6d. ratio brought on the statute book by force of official pressure, was operating on the people of the country and upon her industries and trade. Alluding to the convention which gave 55 crores to the Army, making all savings available for mechanisation and other latest improvements, Mr. Iyengar questioned the propriety of Government's decision without consulting the Assembly. Speaking as a member of the Public Accounts Committee, which had discussed the question, he emphasised the Committee's view that the system was wrong and unjust in principle for it took away from the Public Accounts Committee and from the Assembly that control over expenditure which was of the essence of all public expenditure. The Committee had maintained that, as a permanent arrangement the system of giving savings to the department in which they were made and not to the general revenue was a departure from the usual practice. As the Army budget was non-votable, the Finance Department was a trustee of the people's interests and should not, therefore, hand over savings but see that the expenditure was reduced to the Inchcape figure of 50 crores.

Mr. Iyengar next referred to the special amendments made in the Government of India Act by which passage concessions to civil service-men had been converted into pay and thus made non-votable, and asked how long this unstable state of affairs could last. While the Governor-General did not restore their cuts, they were not told if the grievances underlying the cuts would be redressed.

The whole machinery of the reforms had broken down and had not satisfied the people. It was no use for Government pleading that the Simon Commission was inquiring. If they wanted a stable Government they must accept the national demand.

Sir Purshotamdas THAKURDAS did not oppose the Finance Bill as he did not consider it advisable to have two constitutional debates on the budget. The success of political reforms depended on a sound economic system but the budgets of

provincial Governments showed that they were either deficit budgets or hand-to-mouth budgets.

Excise revenue from liquor formed one of the principal items of the provincial sources of revenue. Indeed, revenue from this source had trebled during the last twenty years. Should this be allowed to continue? What was worse, popular ministers in provinces, on account of financial stringency, was allowing the opening of more liquor shops. This policy could not be too severely condemned. When India gave up crores of revenue in order to prevent the Chinese from taking opium why should the Indian people be allowed to drink liquor in increasing proportions. The Government of India should not in this matter be guided by financial considerations but must proceed on moral grounds and put a stop to this growing tendency in the provinces.

Sir Purshottamdas Thakurdas spoke in contrast of the manner in which the Lancashire industry, though so well-equipped and so well-established, received extraordinary help from that most conservative institution, the Bank of England. That was what a national government could have done in India to save the textile industry.

The Labour Commission's would be an unfair inquiry because it would be confined to factory labour while the vast majority of labourers in India were agricultural labourers whose standard of living and comfort must be raised. While welcoming Government's solicitude for factory labour, he asked whether, simultaneously, Government would make sure that the industrial well, which alone could help labour, would not run dry. Personally he was prepared to set apart a share of the profits for the uplift of labourers. He would even agree to a statutory provision for a minimum wage for factory labour, but Government must ensure prosperity to the industries because the capitalist could pay labour out of profits alone and not out of his pockets.

No Indian could defend Government's military policy and expenditure. The existing constitution must be changed so as to transfer real power to the people. He was sorry that a section of politicians were again threatening to launch a destructive campaign. If that happened it would mean a serious handicap to constructive work for a generation or two. The country should not be exposed to any further risks.

If the British Government did not cling to power with greed they would find that India would not only welcome but ask their help and co-operation at every stage. Government must, however, first win the good-will of the people. He did not mean that the moment responsible government was introduced there would be rivers of gold and silvers flowing. On the other hand the best brains of the country would have to bring on nation-building activities for several years. In this task they would require the whole-hearted assistance of Britishers as well. There should not be any further estrangement between Indians and Europeans. But the time for Britishers to claim the trusteeship of Indians had gone.

Mr. B. DAS also criticised Sir George Schuster's threat of further taxation. He asked the Education Secretary not to import the so-called experts for the Central Research Council for Agriculture from England as they did not know Indian conditions. Government should appoint representatives of rural banking on the Banking Inquiry Committee. No good would come out of the inquiry unless an eminent Indian banker was appointed as its chairman. There should be a central inquiry into the recurring floods in the country. The excise duty should be made a central subject and some stable sources of revenue, like the income-tax or a part of the customs should be given to the provinces.

Mr. MAUNG TOK KYI mainly dealt with the export duty on rice and the separation of Burma from India. He reminded Government of the promise made last year by Sir Basil Blackett that they would appoint a committee to inquire into the export duty on rice. He did not know what Government had done but he told Government that people in Burma held that the present slump in the rice trade was entirely due to the export duty. Burma's monopoly of rice trade was being gradually taken away by other countries.



The present Finance Member had told him on the floor of the House that Government would refer the question to the local Government. He wanted to tell the House that the Governor of Burma did not favour the abolition of the duty but was in favour of a reduction in rates. As for the loss of a crore of rupees which it would entail, he trusted to the resourcefulness of Sir George Schuster who could easily find ten crores for the modernisation and mechanisation of the army.

Sir Harcourt Butler, ex-Governor, had held that separation was not practical politics but the present Governor thought otherwise. Those for separation belonged to the moderate school of thought and were in a majority in the Legislative Council. The General Council of Burmese Association was against separation. The Home Member had told him the other day that the question would be decided by the Simon Commission but he asked Government to remember that the Simon Commission had been boycotted by Burmans. The time was not ripe for separation and they would throw in their lot with Indians. They wanted dominion status, nothing more and nothing less. The time for separation might come later.

Mr. W. S. LAMB felt that Mr. Mg. Tok Kyi was a better Indian than Indians in Burma. The agitation for separation dated back to 1920 and since then the Burma Council had twice decided in favour of separation.

Continuing Mr. Lamb said that Government had promised to inquire into the question of the export duty. If they found that the duty fell on the cultivator and if Burma was unable to recover it from the consumer, Government had promised to remove it. The House at this stage rose for the day.

On the 19th MARCH Mr. W. S. LAMB, resuming his speech, said that Burmese sentiment was in favour of the separation of their province from India. The speaker himself was in favour of separation, but he warned the House not to infer from that that Europeans were inspiring the separation movement. His community was neither supporting nor opposing it. The question was one for the Burmans themselves to decide and not one for Europeans, Indians or Chinese even to speak about.

The speaker found from the papers that Mr. Gandhi's reception everywhere in Burma was followed by the adoption of resolutions in favour of Dominion Status for Burma, but in his opinion that policy had the support only of a minority of the people of Burma.

Mr. Lamb protested against the 110c export duty and the double super-tax in Burma. He urged the Finance Member to relieve his province of this burden of a crore of rupees and prove that India could be just to her. The Finance Member could realise this sum from other provinces if only his income tax department was as efficient as it was in Burma.

Mr. J. D. BIRLA said that the Finance Member was acting wrongly in persuading himself to think that things were not so dark as really they were, and that he could rely much on the railway budget to meet his difficulties. The speaker pointed out that the capital of joint-stock companies in India had remained stationary compared with 1924-25 and 1927-28. This could not be due to the world depression as the joint-stock capital of England had risen during the same period.

India was suffering, not from the world depression, but from an internal depression, caused by the poverty of the agriculturist. India's masses wore only 10 yards of cloth per head as compared with 18 yards in pre-war days.

The railway policy was so framed that Punjab wheat was selling in the United Kingdom while the U. P. had to import its wheat from Australia. This was a great gain to British shipping on account of freight but a great loss to the country. Why could not Punjab wheat be supplied to the U. P.?

Mr. Birla asked the Finance Member what proposals he had in hand to restore the country's prosperity. Government must give up the policy of deflation and give the country sufficient currency.

India was not really suffering from shortage of capital. It was only the other day that the Chairman of Lloyd's Bank was telling the shareholders that they

received larger deposits in India than they advanced, which meant that Indian money was remitted by this and other exchange banks to England to Finance English trade. Why should this money not be available in India? If the Finance Member really believed India to be suffering from shortage of capital why should he not bring out to India a substantial portion of the gold standard and paper currency reserves?

Mr. Birla finally referred to the speech of Sir Purshotamdas Thakurdas on Monday and asked Government to take note of the warning issued by Indian merchants. Generally his community did not interfere in politics, for the Indian political movement was safe in the hands of the political leaders, but they must point out that they were not prepared to put up with the present system of Government any more. If the National Demand was not granted Indian merchants might be forced not to co-operate with the Government.

PANDIT MOTILAL NEHRU (leader of the Swaraj Party) devoted a large portion of his speech urging the rejection of the Finance Bill to an appeal to Sir Purshotamdas Thakurdas to vote with his party. He analysed the speeches which condemned the financial policy of the Government and said that almost the same arguments had been advanced by Swarajists and non-Swarajists against the present system of Government and yet while one party was urging the rejection of the Finance Bill the other although it had joined with the former in voting against the civil and military administration of the Government at the time of discussing the demands for grants, was not now prepared to vote against the Finance Bill. This policy was inconsistent.

The Pandit said: "What we wish to do in voting against the Finance Bill is to emphasise our grievance, that you are governing this country not with our willing consent and co-operation, but against our declared and deliberate will. We have refused supplies for the civil and military administration by voting against the demands for the Executive Council and the Army Department. And on the analogy of all free countries where will the Government of India be after that rejection?"

Sir Purshotamdas Thakurdas joined us in voting against these two heads, and now he will be undoing that work if he will not vote against the Finance Bill, specially after the Governor-General's restoration of the cuts. Is it mainly for Sir Purshotamdas or for the House to say that having voted against those two heads they have done their duty and now they should vote for the Finance Bill, otherwise the Government cannot go on? I say that this attitude is inconsistent and stultifying. So far as it lies in our power we should not by any act of ours signify our assent to the continuance of the present system of Government. If the present system of Government is not fit to go on as our friends have stated, then let them stop its going on.

Proceeding Pandit Motilal Nehru referred to Sir Purshotamdas Thakurdas's observation that finance was the bedrock of political reform and remarked: "When it is a question of freedom no consideration of reform can precede the attainment of freedom. All reforms will follow the attainment of freedom."

Pandit Motilal quoted passages from Dr. Sunderland's recent book on India to show that in every way India was in the grip of Britain and the railways, posts, telegraphs and palatial buildings did not in any way signify the prosperity of the people, who were as a matter of fact suffering from destitution, and when the people of a country were suffering from destitution, there was a fundamental error in the government of that country. As Abraham Lincoln had said, for a nation to rule over another was tyranny.

As an instance of the lack of financial prosperity Pandit Motilal referred to the wagon scandal, regarding which industry he himself had made a motion two years ago in that House. Government had not done anything to help the wagon or loco industry in India. He pointed out how they had once stated that there was an excess of wagons and later cried that there was a shortage of them, while all the time the Indian company which was manufacturing wagons was allowed to linger and die despite Government's promises of help.

Pandit Motilal next questioned the propriety of British India being asked to pay for the expenditure of the Butler Committee, when it was not British India but the Indian States that had wanted the inquiry.

Proceeding, the speaker alluded to the recent agreement between Britain and Russia over the marketing of oil and said that this agreement embodied the principles of equal treatment and equal markets. That was the treatment accorded to the much condemned Soviet. But in India the treatment given to the people was in the form of Public Safety Bills and a new form of repression.

Pandit Motilal referred to the great and welcome change that had come over Czecho-Slovakia in ten years' time—from foreign rule and anarchy to a well-organised, peaceful, contented, self-reliant nation, enjoying the confidence of other countries. Concluding the Swarajist Leader referred to the Calcutta Congress resolution on the political goal of India and said :—

"It has been described as an ultimatum. In one sense you may call it an ultimatum. It is an invitation to you to make up your mind within one year to put India on her own legs. It says that we shall accept full responsible government within time. But if you show no inclination and on the contrary events intervene which show you will not either at the end of the year or at any time concede full responsibility, then we shall try to follow our own programme.

"We are willing to keep the British connection only on honourable terms and those honourable terms are stated in the Congress resolution as being the same as Dominion Status. That is the very least we want.

"If you are not going to grant this, at least make up your mind and have the courage to say. "No". Promises not accompanied by action will not satisfy India. So long as the matter remains in the region of promises, it is the duty of every elected Indian member of this House not to signify assent to any financial measure of the Government, least of all to the Finance Bill. I say to Government. "You may continue the present system as long as you think you can. Though Nemesis may be slow in overtaking you, it will overtake you all the same."

Mr. M. S. ANEY criticised the military expenditure and the land revenue policy of the Government of India. He said that it was a matter of great concern that their revenue was showing a tendency to decrease while the expenditure was increasing.

The Finance member had threatened them with fresh taxation unless conditions improved but the speaker thought that the solution of the problem lay in the Finance Member keeping a vigilant eye, specially on military expenditure. It had been claimed by Government that this expenditure had gone down during the last three years, but Mr. Aney held it was otherwise. According to him the net returns were no criterion by which to judge expenditure which should, really speaking, be judged by the gross figures, and in the case of military expenditure the gross figure stood at 92 crores.

Mr. Aney regretted that Government should continue to spend so much money while the nation-building departments were starving.

In 1913-14 the military expenditure was 22 crores, which fact showed that while every other country had settled down to peace conditions India still maintained her army on a war basis.

The speaker thought that the convention arrived at between the Army Department and the Finance Department was injurious to the interests of the country, for it would take away the control of the Assembly over military expenditure and would also diminish the control of the Finance Department. He held that it was not too late even now to shelve the convention.

Referring to the system of land tenures in the country, Mr. Aney said that Government had no definite and scientific policy of land revenue.

The whole method of land assessment rested on a conjectural basis and its administration was left to the whims of individual officials. One evil effect of the present system was that the cultivator was deep down in debt. Early steps should be taken to improve the lot of the masses, specially the cultivators.

DEWAN CHAMAN LAL did not want the Finance member to be a mere totalizer machine, but one who should work for the prosperity of the country. Had he any plans to show that Government had this object in view? Indian agriculturists, according to the testimony of all economic writers, were suffering from destitution and misery and even the Bombay industrial worker, who was far better off than the agricultural labourer, did not get enough. On the other hand landlords were rapacious.

Government had appointed an Agricultural Commission, but had kept the land revenue policy out of its purview. Without a revision of that policy no relief for agricultural labour was possible. His own Weekly Payment of Wages Bill had been opposed by Government. The speaker urged the House not to vote supplies for such a Government.

Dewan Chaman Lal asked what the Government had done to improve the conditions of industrial labour since 1829. He maintained that they had remained unaltered. Overcrowding in one-room tenements in cities was notorious, and infantile mortality, which was the true standard by which to judge the sanitary conditions of a country, stood at 500 per 1,000 in Bombay.

The speaker said that such conditions would have resulted in revolutions in any other civilised country, and asked Government if the task of managing India properly was beyond their power to hand it over to others.

Dewan Chaman Lal next referred to the question of a minimum subsistence wages in India and showed by figures that it had been fixed at five rupees per head by the Government for ex-soldiers. He asked Government members to try to live at that wage for a month.

Referring to labour in coal fields, the speaker condemned the system of women being employed underground and that too for seven rupees a month. He said: Is that success or failure? Is that humanity or brutality? You have succeeded in increasing military expenditure but you have utterly failed to ameliorate the condition of the masses.

Dewan Chamanlal, referring to the hardships of tea labour, said that the tea plantations were virtually slave plantations and the tea planter were the worst type of humanity. He asked those Europeans who took tea in the morning to think a little more generously of those unfortunates who produced that beverage.

The Government, he said, particularly favoured vested interests in the country, which fact was proved by the constitution of the Central and Provincial legislatures. In all these labour was given one or two nominated seats.

"Hell must be an epitome of Industrial India, and since we cannot mend the present Government, let us end it," concluded the speaker.

MR. JAMNADAS MEHTA said that in India the Finance Bill was simply a demand by the army of occupation to meet its cost of occupation. If a plebescite were taken on the British occupation of India an overwhelming majority of people would tell the British to leave India without bag and baggage. (Laughter).

The speaker did not expect any miracle from the Finance Member who was only a member of the subordinate government whose policy was first to safeguard British vested interests in India, next to provide for imperial needs in the East and then only look to the Indian people's interest. The Finance Member has said that they would keep India's interest alone at heart. This, Mr. Jamnadas thought, was impossible. At this stage the House adjourned till next day.

On the 20th MARCH Mr. Jamnadas Mehta resuming his speech criticised the Government for keeping in detention without trial Indians arrested under various "repressive laws." The elementary right of personal liberty, fundamental in civilised countries, was wanting in India. The Home Member and the Secretary of State held in the hollow of their hands the liberties of 330 millions of Indians. In the circumstances, continued Mr. Jamnadas Mehta, no self-respecting individual would be a party to the passage of the Finance Bill.

Miss Ellis's abduction from Kohat in 1923 by a gang of Frontier-men convulsed the Empire and the whole machinery at the command of the Government was brought into play to bring her back, but Indians including the ex-Maharaja of Nabha, were kept in custody without trial. The Home Member

of a self-governing country would be required, at the peril of losing his office, to produce within 24 hours and vitals whom he had detained without trial.

The Secretary of State's ignorance seemed to Mr. Mehta to be increasing with his experience of India. For what did the Under-Secretary of State Earl Winterton mean by stating in the House of Commons that only six persons were under detention under Regulation III of 1818?

Mr. Crear pointed out that the statement referred to related to figures before December 3, and took no account of recent cases.

Mr. Mehta asked whether it was a fact that only six people were under detention on December 3.

The Home Member admitted that Earl Winterton had made an inaccurate statement.

Mr. Mehta: "Is the noble Lord ever accurate on matters which matter?" (Voice: "Never.") The way in which the Under-Secretary of State, he added, was misleading the British Parliament, either deliberately or through colossal ignorance, was becoming a scandal.

Mr. Mehta mentioned as an instance of the lack of personal liberty and even safety the case of Manojran Gupta, a member of the All-India Congress Committee, who was arrested at Bezwada at midnight and bailed out after great difficulty 'because, forsooth, the Simon Commission was passing through Bezwada that night.' The Simon Commission, Mr. Mehta held, had been responsible for depriving the people even of freedom of movement, not to speak of liberty. Not a single soul would look at the members of the Commission when they arrived at Delhi three days ago. Yet at every lamp-post there was a sepoy, at every tree a soldier, and at every street corner some civil or infantry. What was the reason for such nervousness. Was it because the Commission mistook every shadow for an object of terror? Or was it proof of the story spread last year when the Commissioners were staying in the Western Hostel, New Delhi, that in the night they heard the cries of jackals and took them to be the cries of demonstrators? (Lau hter) Was it on account of this nervousness of the Commissioner that the personal liberty of the people was deprived of them and assaults were made on people, resulting, in one case, in the death of Lali Lajpat Rai?

Proceeding, Mr. Mehta held that the Government were not doing anything to promote harmony and goodwill among the people. He mentioned the Bombay Government's reply to a censure motion in the Bombay Council on the provision for an oriental translator, namely, Mr. Sanjana, who was admitted by the Home Member of the Bombay Government to be writing articles in a Bombay journal under the caption "Through Indian Eyes." The articles, Mr. Mehta said, contained large extracts from the vernacular press with a tinge of personal venom.

Mr. Keane (United Provinces), interrupting, wanted to know from the Chair if Mr. Mehta's remarks did not amount to defamation of a person who was not present to defend himself, especially the charge that the person concerned had abused his position by making perverted statements in the Press.

Mr. Mehta contended that the whole question had been debated in the Bombay Council, where the name of the author of the articles was mentioned. He held that the Government as a whole were responsible for letting an officer, who was maintained at public cost, to carry on a propaganda poisoning the public life of the country.

Condonation of this officer, said Mr. Mehta, was on a par with the Government's attitude regarding the contents of the year book of Mr. Coatman (Director of Information). Amidst murmurs of dissent from the Official benches, Mr. Mehta described Mr. Coatman as "some cousin of Miss Mayo," who was being encouraged to write in such a manner as to create differences between the communities. For instance, the statement in the book that the boycott of the Simon Commission by Mahomedans was no boycott at all.

Mr. Coatman: "What has that got to do with Miss Mayo?"

Mr. Kabuddin Ahmed: "Has not the Nehru Report divided the communities in India?"

Mr. Mehta questioned the accuracy of Mr. Coatman's statement that, barring

Mr. Jinnah, there was no Moslem leader of any standing opposed to the Commission. He maintained that the Home Member must control the activities of Mr. Coatman, which he considered propaganda on behalf of the bureaucracy.

Mr. Coatman : "Nothing of the sort." The Home Member in answer to a question, disclaimed responsibility for any particular expression of opinion contained in the Director of Public Information's book "India in 1927-28."

Mr. Mehta complained that the Bombay Government did not take prompt measures to protect the lives and property of the citizens from the forces of disorder during the recent riots in the city.

He hoped the Commerce Member would afford the necessary protection to cotton industry, both mill and handloom, against foreign competition. He held that the protection afforded to steel industry was not functioning in the right way because there were no profits to the industry. He suggested a reconsideration of the policy of the Government with regard to the question of protection to the industries. Mr. Mehta urged that recruitment to Railway services should be replaced under the Public Services Commission and asked for a declaration of the Government's policy as regards air mail and other aviation services in India.

Mr. J. C. CHATTERJEE pressed the claims of the Delhi province for expansion in such a way as to enable the province to be benefited by constitutional reforms. As the House was in favour of extending Reforms to the N. W. F. Province Mr. Chatterjee did not see any reason why such a privilege should not be extended to the Delhi Province also.

Mr. FAZAL RAHIMATULLAH supported the Finance Bill arguing that every Government must be given supplies though its policy must be criticised with a view to improvement. On the question of reforms, the speaker said, that unless the Government changed its policy and created confidence in the people it might happen that before they considered the question of giving Dominion Status to India, India might attain independence itself. (Non-official applause).

He advised the Government to secure the assistance of the best brains in the country to evolve a constitutional machinery acceptable to the people of India. He criticised the exchange policy and attitude of the Government towards the mill industry and supported the view of Sir Purshottamdas Thakurdas that unless the policy of the Government was revised, the Government of the country might have to be carried on by martial law and certification.

If the Government's attitude towards the Moslem community remained unchanged then Moslems, he said, would stand aloof from both the Government and the Hindus. He objected to Government members deciding important questions of policy by consulting only leaders of parties. Government, he said, had only to decide to extend reforms to the N. W. F. Province. Then Hindus and Moslems in that province, as well as in the rest of India would amicably settle their differences.

MIAN ABDUL HAYE accused the Government of tripping under foot the rights of Moslems and charged the Hindus with holding a monopoly in Government services. He disputed Mr. Jinnah's contention that 99 percent of the people of India were behind the Nehru Report and emphasised his view that only a dozen Moslems backed it. "Indeed, that poisonous drug, the Nehru Report, was being administered to the Moslems against their will".

He appealed to the Hindus to bury the Nehru Report and unearth the Bengal Pact of Mr. C. R. Das, otherwise Moslems he said would refuse to join the Hindus in the march of freedom.

Mr. Anwarul Azim of Bengal joined Mian Abdul Haye in accusing the Hindus for the political backwardness of Moslems.

Mr. K. C. NEOGY said that the control of the House over Government expenditure had dwindled considerably in recent years under the convention, that Government could not impose fresh taxation without the sanction of the House. But whenever the House tried to reduce taxation it has been checkmated by the powers of certification of the Governor-General.

The tariff policy of the Government, he said, was unscientific and anti-national. He referred to the Tariff Board's report on the textile industry and said that instead of carrying out their recommendation the Government, after

consultation with the Bombay Chamber of Commerce, reduced the import duty on artificial silk to half the rate.

This had given no relief to the textile industry, but on the other hand hit hard the cottage silk industry in India. He asked whether the Government consulted the provincial Government concerned before taking such a step.

Mr. Neogy next referred to the export duty on jute and held that it was entirely a war measure which had outlived its utility. It was a wrong contention that the incidence of the tax rested on the foreign consumer.

In conclusion, Mr. Neogy pleaded that the banking interests of Bengal should be adequately represented on the proposed banking inquiry.

MR. SHESHA IYENGAR thought the taxation scheme of the present Government was so badly devised that it drew 60 per cent. of its revenue from poor people leaving the rich to share the burden of 40 per cent. The spread of Communism, in his opinion, was due to this lack of scientific system of taxation, which no Public Safety Bill could remedy.

He criticised the borrowing policy of the Government and said that he was not opposed to borrowing provided it was for some definite productive purpose, and to which Indian capital was given chance to contribute even at a higher rate of interest. Lastly, he found fault with the policy of appointing Commissions and Committees, and said that within the last seven years Government had spent one crore of rupees on commissions and committees alone. What was the result of this? Such Commissions and Committees were formed of Government's own men and the witnesses examined by these bodies were only those which suited their purpose. Even then if a certain committee gave its verdict against the policy of the Government, its report was generally shelved or "experts" were imported to nullify the results of its recommendations. He asked the Finance Member if there was any parallel to the Currency Commission for which foreign experts were called in to decide against the adoption of a gold currency by India.

MR. AMARNATH DUTT said that Britishers never conquered India but came into possession of the country through forgeries of Omichands and Mu Jaffers. There were, he said, Omichands and Mu Jaffers at the present day also. He criticised the currency legislation and the inheritance tax and accused the Government of draining the country of its resources by carrying away gold and silver and leaving only paper to India. He found fault with the Government for not appointing Indians to Governorships and Finance Memberships, though a Nawab of Chattri here or a Mitia there might officiate as a Governor or a Finance Member for some time.

MR. A. H. GHUZNANI criticised the income-tax administration in Bengal, particularly in Calcutta. He said that since the advent of two Indian Assistant Income Tax Commissioners the method of harassing Indian assesses had surpassed the imagination of the author of the Arabian Nights. He invited the Finance Member to visit Calcutta in person and investigate the truth of his allegations.

MR. NILKANTH DAS said that Indianisation did not mean the supplanting of Europeans by Indians. Indianisation was the inculcation of the Indian spirit among Government servants. He defined Dominion Status as a state of good government under which Europeans lived at peace and with the concurrence of Indians in India.

PUNDIT MALAVIYA said that Government should take the only lesson from the debate which was a widespread desire for self-government of the dominion type. He asked Government members whether they would vote for the Finance Bill if they were in the position of the non-officials in the House. The non-officials in the House, he said, could not vote for the Finance Bill which sought to find money for expenditure over which the House had no control.

CHAUDHRI MUKHTIAR SINGH ventilated the grievances of the agriculturalists in the country and regretted that the recommendations of the Agricultural Commission were being given effect to. He held that burden on Indian agriculturist had increased by 21 per cent. during the last 30 years by Government's policy of killing Indian industries.

Mr. CHALMERS indignantly repudiated the statement made by Dewan Chamanlal

yesterday that the tea plantations were slave plantations and remarked that this was a lie. Dewan Chamanlal, interrupting, pointed out that he made the statement on the authority of Mr. A. A. Purcell, M. P., of the British Trade Union Congress who visited India recently. Mr. Chalmers said that Mr. Purcell was perhaps actuated by political motives in making such a statement. (Applause).

PUNDIT THAKURDAS BHARGAVA said that he wanted to focuss the attention of the House on the condition of six crores of depressed classes in India. He accused the Government of partiality to higher castes which, he said, was responsible for the disabilities under which the depressed classes suffered.

It was 8-15 p.m. (dinner time) when Pundit Thakurdas Bhargava was speaking. Considerable interruptions ensued from groups of members, both official and non-official.

The president asked Pundit T. Bhargava to take the hint and cut short his speech, but the member proceeded with his speech amidst cries of "go on" and "sit down". The president put the closure motion to the vote which was carried by 67 votes against 40, the Opposition speakers protesting.

When the Finance Member got up to speak he was greeted with thumping of tables from the Opposition benches. The President warned the non-officials several times to preserve silence. This was not heeded to and Pundit Motilal was heard to remark "I am prepared to take the consequences".

The President adjourned the House under rule 17 (Section 3, till next day).

On the 21st MARCH, Sir GEORGE SCHUSTER, the Finance Member, replying to the debate said that one set of critics of the budget was against the financial policy of the Government of India, while another set was against British rule in this country. The former were constructive critics while the latter were merely obstructive who wanted to make government impossible by not voting supplies. Sir George agreed with Mr. A. Rangaswami Iyengar that there was need for a revision of the expenditure side of the Government, but he maintained that there were certain ways of retrenchment and that the Government was trying to explore those venues of economy. The criticism of the debt redemption policy of the Government he regarded as futile. On one side the Government were charged with making inadequate provision for the redemption of cash certificates, while on the other side they were accused of making too large provisions for debt redemption which the critics of the Budget regarded as too heavy for the taxpayer. The Government he said was revising the whole scheme of debt redemption. Referring to the Army budget the Finance Member repudiated the notion that the so-called convention of leaving army expenditure alone would slacken the control of Army finances by the Finance Department. The arrangement was that unsent grants at the end of every year will not lapse, but will be spent in the succeeding year. The Railway reserves, the Finance Member said, were only book balances which have already been spent on capital works and therefore, they could not by any means be used for reduction of taxation.

He agreed with Sir Purshotamdas Thakurdas and Mr. G. D. Birla that detailed information about the economic conditions of the people should be supplied by the Government, but he said the present state of the finances of the Government of India did not warrant an expenditure of 63 lakhs of rupees to carry out the recommendations of the Economic Inquiry Committee.

Regarding the Government's policy of import of foreign liquors and drugs Sir George quoted figures to show that imports and consumption of liquor and drugs had gone down by 50 per cent. in recent years.

As for the export duty on Burma rice he said the present state of the finances of the Government did not permit the remission of the duty. Government were examining the problem, and if they found that the duty unduly interfered with the trade of Burma and the incidence of the duty rested on the cultivator, they would take steps to relieve hardship.

Replying to Mr. Birla, Sir George said that it was wrong to state that the consumption of piecegoods per head in the country had gone down. He quoted figures to show that the imports of piecegoods had gone down and that the



production had increased during the last few years. He told Mr. Birla that no definite policy of currency deflation was followed by the Government.

Referring to the general indictment of British policy in India the Finance Member said he was an optimist, but that feeling of optimism was not enough to make the Government sit idle and do nothing. He accepted the suggestion of Dewan Chamanlal that the Finance Member should get first-hand knowledge of the economic condition of the country by touring incognito. He promised to act on the suggestion the moment he had some leisure from his work. He was of opinion that most of the criticisms should have been directed against Local Government, for agriculture, irrigation and education were all provincial subjects.

Government, he said, wanted money and the support of the public to carry out a programme of reforms in the country and they greatly valued the sincere and honest expressions of opinion on the floor of the house, but as the Government gave credit of honesty to the Opposition they should also reciprocate.

About the Banking Inquiry, he said, he made an earnest effort to ascertain the views of the House by inviting the leaders of parties to a conference "I told them it is your show. You must show me how to run it. Accordingly we sketched a programme that first we will acquire a knowledge of local conditions and then we will blend that knowledge with expert advice from abroad."

The members of the Standing Finance Committee he said would bear him out that none could have taken greater pains than he to ascertain what policy the members wished to pursue. (Hear, hear.) He entirely agreed with the view that Government subsidy should be used in such a way that no foreign monopoly should be established which might prejudice the development of aviation in India.

Sir George complained that the opposite benches had not given him as much assistance as they could have given. For instance, they could have cut short the discussion on political issues and discussed matters of policy like civil aviation. Members, he said, were not giving Government enough guidance and help.

Referring to Mr. Srinivasa Iyengar's speech he said the matter of the speech was unpleasant. In fact it seemed difficult to discover any matter at all in his speech. (Laughter.) Mr. Srinivasa Iyengar did not want unbusinesslike doings. Would it not have been unbusinesslike for the Government not to restore the Executive Council grant and cease functioning?

"Our business is to carry on the Government until some change is introduced. Pundit Malaviya said yesterday that the speech of Sir George Rainy was an attempt to gain a cheap point out of their differences. I am speaking on behalf of these benches and I say we listened to the debate with certain feelings of embarrassment. It was like a stranger being present in a family quarrel. We know families quarrel and we do not want to gain any cheap point out of that quarrel. It is on behalf of myself and my colleagues that I recognize that among the members on the other side of the House there is an underlying unity, much greater than what appears from outside for the attainment of responsible Government. (Applause.) We are prepared to recognize this real unity of purpose, but you should be prepared to do the same for us. (Hear, hear.)

"When you select the utterances of any individual in England and ask what these show, I will say and I speak with the greatest conviction that whatever be the matter or tone of any individual's speech in England there is an absolutely genuine determination on the part of the British people to honour the pledge of 1917. (Hear, hear.) You will believe me that the British people mean business.

"My second observation is that though we do not wish to exaggerate the difficulties disclosed in the debate, still, we are entitled to say as a result of the debate that here at least is a case for an impartial inquiry. I can imagine nothing more unbusiness-like than that you should suddenly desist from such an inquiry because of some opposition from outside. These are very elementary points.

[Mr. Rangaswami Iyengar : Oh !] "Let us be clear about matters. It is our duty to carry on the administration of the country in spite of any opposition which may be offered us until some change is introduced. But I again repeat that there is great room for co-operation between us.

"In my budget speech I spoke in restrained and respectful terms that I

would appeal to Pandit Motilal Nehru to consider that within the next two months anything which created a general feeling of political instability and danger to political disturbances might react very severely to the great harm of the general masses in the country. My hon'ble friend said he had a higher objective in view. I agree his object takes a higher scale of valuation than anything like material prosperity, but political liberty is of no value to a starving people.

"I gave you an unvarnished state of the financial position of the country. I do not disguise the fact that we have certain difficult passages to negotiate and if we cannot negotiate these, it is bound to react on the general business of the country. I have heard on all sides that the general business in the country is in a very serious condition, in a position in which any further shock is likely to have a serious effect.

"Any serious political disturbance is likely to cause difficulties to the Government and to the investor. Things which are going on are causing general pessimism. Every week very large sums of Indian money are being invested in foreign securities by people who used to have confidence in Indian securities. That movement, if it goes on, is bound to have a disastrous effect on business although it may be a temporary phase only and may be of comparatively minor importance. Still, at the present stage of the country's development it would react quite seriously on every body including the agriculturists".

The Finance Bill was then taken into consideration by 61 votes against 39. The minority consisted of Congressmen and a few others while most of the Nationalists, including their leaders, remained neutral.

#### Amendments to Finance Bill.

The Finance Bill was then debated on clause by clause. Mr. Ram Naram Singh moved an amendment to the Bill to provide for the total remission of the salt tax.

Mr. Nilkantha Das moving another amendment to the Bill made a speech lasting nearly two hours. He traced the history of the salt tax in India and was more than once warned by the Chair to cut short his speech.

Mr. A. N. Dutt moved an amendment to reduce the salt tax to 8 annas per maund.

Mr. V. V. Jogiah moved another amendment to reduce the tax to 10 annas per maund.

Khan Bahadur Sarfaraz Hussain Khan moved an amendment to reduce the tax to a rupee and advocated a policy of gradual abolition of the salt tax.

Mr. Doraiswamy Iyengar in a humorous speech criticised the Government's policy of taxing the necessaries of life and characterised it as "melancholy meanness."

Mr. Iyengar said that the Finance Member's information was based on Mr. J. Coatman's book "India in 1927-28" which gave wrong facts. He adversely criticised Mr. Coatman's book and was still speaking when Mr. Patel adjourned the House till next day.

On the 22nd MARCH, Mr. Doraiswamy Aiyangar moved an amendment that the salt duty be reduced to eight annas. He said that salt was a necessity for human beings and cattle, and also for agricultural purposes. India needed seventy crore maunds of salt every year, while they were provided with only seven crore maunds. He trusted the "good gesture" made by Sir George Schuster and Sir George Rainy last week would not only make India self-supporting in the matter of salt, but also that India would be able to export it in years to come.

Mr. B. Das, supporting the amendment, referred to the salt production in Orissa. He charged the Government with favouring the foreign exporter at the expense of the Indian manufacturer. India, he said, could produce enough salt, in spite of foreign competition.

If the Government had the will to help the Indian salt manufacturer they could find the means to do so. It depended on the policy of the Government of India. He was grateful to the Finance Member for the assurance that he would look into the matter. The amendment of Mr. Doraiswami Aiyangar was a move in the right

direction. It was better to abolish part of the duty now and next year, after referring the matter to the Tariff Board, they could abolish it altogether.

Mr. Gangananda Sinha pleaded for a reduction of the duty, which, he said, was unjust and fell very heavily on the poor.

Sir George SCHUSTER opposed all the amendments, pointing out that there was no alternative source if the salt tax or the excise duty in the manufacture of salt was reduced. He maintained that any reduction would not benefit the poor materially, as was thought; at any rate, not small reductions. The Government had no power to control the retail prices of salt. In any case the benefit of a reduction in price would not go to the consumer. It would be better if the tax was collected and the money used for the benefit of the poor.

Regarding the proposal to introduce a system of differential duties so as to encourage the production of salt in the country, the Finance Member promised to visit Karachi, where white, fine crushed salt could be manufactured on a large scale. But the difficulty was the heavy transportation charges from Karachi to distant places.

#### AMENDMENT CARRIED.

The amendment of Mr. Duraiswami Aiyangar for a remission of twelve annas duty to the Indian manufacturer of salt was lost by 45 against 50 votes.

Mr. Ganai Nath Dutt's amendment for reduction of the duty from 20 annas to 8 was lost by 42 against 51 votes, several Independents, including Sir Purshotamdas Thakurdas, Mr. Fazal Rahimtullah and Mr. Abul Kasem, and several Nationalists, including Messrs. Malaviya, Jayakar, Kelkar and Harbilas Sarda, remaining neutral.

Mr. Jogiah's amendment for reduction of the duty to ten annas was lost by 48 against 52 votes, a number of Independents again remaining neutral.

Lastly Mr. Saifuraz Hussain Khan's amendment for reduction of the salt duty to one rupee was carried by 56 against 44 votes, all Nationalists voting with the Swarajists. Among the Independents Sir Purshotamdas Thakurdas and Mr. Mahomed Yakub, Haji Abdullah Haqoon and Mr. Abul Kasem remained neutral. The result of the division reducing the duty from twenty annas to sixteen annas was received with cheers.

When the clause relating to the salt duty as amended was put Mr. M. K. Acharya, who had throughout voted in favour of the amendments, protested against the continuance of the duty and urged its total abolition.

The clause as amended was carried.

#### INCOME-TAX AMENDMENT 1.

The next clause related to income-tax.

Mr. THAKURDAS BHARGAVA urged the addition of a proviso "that in case of a Hindu undivided family each member of such a family shall be assessed separately and his total income shall be deemed to be income to which such a member would have been entitled if such a family had not been joint."

Sir B. L. MITTER (Law Member) objected to the amendment being moved as it was outside the scope of the Finance Bill.

Mr. Bhargava remarked that a similar objection was raised last year by Sir Basil Blackett to an amendment of Sir Victor Sassoon but the Chairman that case allowed the amendment.

Mr. Y. S. ANEY held that the amendment was in order, and argued that if the Law Member's objection was upheld the right of the Assembly to deal with the Finance Bill in any way it liked was curtailed. He asked why Government did not raise a similar objection when Mr. Duraiswami Aiyangar moved the reduction of the salt duty.

The Law Member replied that the amendment of Mr. Bhargava aimed at the very root of the principle of the Income-tax Act as to who is to be an assessee.

The amendment was lost by 51 votes to 44 votes.

#### DUTY ON PETROL.

When Clause VI raising the duty on petrol from four to six annas per gallon was put, Colonel Crawford pleaded for exemption in the case of petrol consumed for civil

aviation SIR GEORGE SCHUSTER regretted his inability to accept the suggestion, which might lead to administrative difficulties, but promised to consider the principle contained in it. Further discussion of the Finance Bill was adjourned till 27th.

On the 27th MARCH, the House re-assembled after the Holi recess and resumed discussion on the Finance Bill. Postal rates were first taken up.

#### PICE POSTCARDS.

MR. AMARNATH DUTT (Swarajist) moved that the postal rate for letters weighing up to one tola be half anna and a further charge of half an anna for every excess tola or fraction thereof, instead of as at present. Mr. Dutt said that India was a very poor country and the increased postal rates were hitting hard those in humbler stations in life. The Post Office was a public utility department. It was not merely to be concerned with the balancing of the budget alone. His amendment to the Finance Bill, Mr. Dutt said, would only benefit the poor people. He pleaded that postal envelopes should be made as cheap as possible.

SRI B. N. MITRA said that the amendment, if accepted, would result in a loss of 150 lakhs of rupees to the Government which amount they could not afford at the present stage of the country's finances.

The amendment was rejected without a division.

MR. M. K. ACHARYA moved that pice postcards be introduced. He contended that the Telegraph Department was living on the earnings of the postal Department. The Government could give a subsidy to the Telegraph Department instead of taxing the poor people by maintaining high postal rates.

Mr. Chatterji : Will not that also be taxing the poor people ?

Mr. Acharya : Yes, in the long run.

He suggested that Government should increase the rates for telegrams and cut down the expenses in the administration of the Postal Department.

PUNDIT THAKURDAS BHARGAVA was of opinion that the reduction in rates would increase the sale of postcards and would make up for the loss sustained by reducing the rates.

MR. V. V. JOGIAH supported the proposal for increasing the rates for telephone services.

MR. AMARNATH DUTT supporting the amendment charged the Government with lack of humane feelings. He was of opinion that the department of Labour should have been termed "the department of exploitation of Labour."

SRI B. N. MITRA said he could not accept the amendment as it meant a loss of 90 lakhs of rupees to the Government. He repudiated the charge that the Telegraph Department was living on the Postal Department. There was, he said, a continuous decline in the surplus accruing to the Postal Department. From 95 lakhs of rupees in 1925-26, it had fallen to 4 lakhs in the current year.

SRI B. N. MITRA said it was wrong to think that low rates would stimulate traffic. The Government, in response to the wishes of the House, have been improving the conditions of service of the postal employees. Their task had not finished and a reduction in postal rates, he said, would hinder the progress of ameliorating the condition of postal employees.

The House divided and the amendment was rejected by 31 votes to 47.

#### INCOME-TAX ASSESSMENT.

The income-tax rates were then taken up. PANDIT THAKURDAS BHARGAVA wanted to move an amendment to the effect that the income-tax levied on members of Hindu undivided families should be levied in then individual capacities only, and not as members of undivided families.

SIR GEORGE SCHUSTER remarked that it was a frivolous amendment as the Assembly had already decided on this question. The President, agreeing with the Finance Member, ruled the amendment out of order.

SARDAR GUJAB SINGH made an unsuccessful attempt to secure for registered companies the same rate of income-tax, assessment to unregistered companies. He said that the formation of registered companies should be encouraged by the Government as they enjoyed greater confidence of the public and attracted more capital than unregistered companies.

The unregistered companies, he said, were exempted, from paying income-tax up to an income of Rs. 2,000, while registered companies had to pay one anna and six pies in every rupee they made even if their total income was one rupee in a year. He said the basis of assessment for both unregistered and registered companies should be the same.

Sir George Schuster held that the acceptance of the amendment would upset the whole system of income-tax in the country. The present system, he said, was the only practical one. The amendment was rejected.

Mr. AMARNATH DUTT next moved that the minimum assessable income per year be Rs. 5,000 instead of Rs. 2,000. He said that in 80 per cent. of the cases people entitled to refund of income-tax did not get it.

Sir George Schuster said that while he had some sympathy for the arguments of the speakers on previous amendments in the interest of the poor, he had had little sympathy with this motion which would make Government lose 141 lakhs of rupees a year.

The Taxation Inquiry Committee had reported that it would be best to stick to the present minimum basis of income-tax which was lower than the rates in England. He said the level of income tax was the same as that of 25 years ago when an yearly income of Rs. 1,000 was taxed. Now an yearly income of Rs. 2,000 was taxed which meant the same burden according to the index number.

The amendment was put to the vote and was negatived.

CAAUDHRI MUKHTIAR SINGH unsuccessfully moved two amendments to raise the limit of taxable income in undivided Hindu families. The first amendment placed the limit of taxable yearly income at Rs. 4,000 while the second placed it at Rs. 3,000. He said the Hindu joint family generally consisted of at least two members and, according to the present basis of assessment, an individual income of Rs. 1,000 is also taxed. This, according to him, was unjust. Hindus, he said, should be treated similarly as Moslems and Christians.

PANDIT THAKURDAS BHARGAVA said that the spirit of the amendments was translated into action by the Government in the case of super-tax.

Sir George SCHUSTER, opposing the amendments, said that if they were accepted by the House it would create a great difficulty for the courts to interpret the income-tax law. In practice, all Hindus would be exempted from paying any income-tax. It was, he said, true that the joint Hindu family was a very difficult unit to fit into the law and there were sometimes some anomalies, but he felt the picture was overpainted by the Opposition. They generally had cases when there was one bread-winner in the family and others were dependent on him. Sir George said the present law was not the last word on the subject. The whole question would, he said, be examined when the Income-Tax Act was next revised.

The first amendment was rejected by 36 votes to 53 and the second was rejected without a division. Other clauses of the Finance Bill were carried without further discussion after which the House adjourned.

#### PRESIDENT'S RULING ON OFFICIAL AMENDMENT.

On the 28th MARCH, the PRESIDENT gave a ruling on the point of order raised by Mr. Srinivasa Iyengar against Sir George Schuster's motion for the restoration of the salt duty. He said that Mr. Iyengar's arguments were ingenious and if the President were to uphold his contention then the Governor-General must, in every case, make his recommendation in anticipation of the Assembly making certain amendments in a Bill and had no power to recommend a Bill after a particular amendment was made. That is to say, such a recommendation must invariably be made before the Bill was taken up for consideration clause by clause. But the object of the rule was to empower the Governor-General to make a recommendation whenever, in his opinion, the Assembly had gone wrong in any matter during the progress of a Bill.

At the same time the President could not understand either the necessity or the propriety of the provision that the member-in-charge could ask the Assembly to again consider the same question.

Sub-rule 3 applied to cases in which some amendment had been carried by

the Assembly and the Governor-General had on that basis made the recommendation. In such cases the rule provided that the member-in-charge might move an amendment to bring the Bill into the form recommended. The President ruled Sir G. Schuster's amendment in order. (Applause).

#### RESTORATION OF SALT DUTY.

SIR GEORGE SCHUSTER then moved an amendment for the restoration of the salt duty. He pointed out that the loss, if this was not done, would be Rs. 65 lakhs. It would also cause serious inconvenience. Government were in entire sympathy with the arguments of the Opposition that the reduction of the duty was meant for the benefit of the poorer classes, but a reduction of four annas in the duty per maund only meant an advantage of one pie per seer to the consumer. Such a reduction will not be beneficial to the consumer, especially when Government had no control over the retail prices; a matter which would be enquired into.

Government preferred to adopt the other course of utilising Rs. 65 lakhs on objects beneficial to the poor. But if the Assembly refused to accept the amendment, then Government would have only to effect cuts on items of beneficial expenditure because it was too late to make any alteration in other directions.

MR. SRINIVASA IVENGAR entered an emphatic protest against the course adopted by Government and pleaded for votes to be cast against the amendment. He failed to see how an amendment providing an insignificant sum of Rs. 65 lakhs was necessary either for the safety, or the tranquillity, or the interests of British India, and how there would be disorder, or unsafety, if the inconspicuous reduction was not restored. He criticised the plea of Government that the Assembly must trust to Government's discretion of spending on what they thought were objects beneficial to the poor. Sir George Schuster was new to the House and the country, but he had already begun to demand from the Assembly absolute obedience to the decrees of the Executive. The Assembly had, however, learnt to be impervious to the arts of rhetoric and diplomacy in which Government were experts. He charged every member who had voted for the reduction on the last occasion to vote against the new amendment.

MR. M. R. JAYAKAR regretted the procedure adopted by Government, and now that the President's ruling had upheld that procedure, the speaker appealed to Government not to resort to it frequently. Because it meant that even if the House spent ten days in fully considering a measure, the Governor-General, merely on the advice of his Cabinet, could ask the Assembly, during the progress of the Bill, to do the exact contrary of what the House had done. This practice was meant not to develop a sense of responsibility, but to take away even the little sense of responsibility the House felt.

Mr. Jayakar emphasised that the only way to develop a sense of responsibility in the House was to give its decision as much finality as possible.

The Governor-General could have adopted two other courses; namely, certification or approaching the Upper House. Both these courses had in them an element of compensation, but there was no such compensation in the course adopted by Government. He informed the House that his party had, after full deliberation, decided not to resort to any course likely to embarrass the Government. Their vote on the salt duty was thus against a reduction but the Finance Member's arguments were on old ground and no cause had been shown which could make the Assembly change its view.

MR. N. C. KELKAR said that he did not stand up deliberately when the Governor-General's message was read by the Chair because he anticipated what it would contain. The course adopted was disrespectful to the House, and unfair to the other House on whom time had been weighing heavily and to whom it would have been some kindness to give a little business.

Mr. Kelkar was proceeding in this strain when the President asked him to leave the other House alone.

Mr. Rangaswami Iyengar: They did not leave us alone.

Mr. Kelkar continuing said that Government had deprived the House of the

opportunity of converting the other House to its view. He hoped that the Finance Member did not mean that a sense of responsibility was shown only by always saying "ditto" to all the proposals of the Finance Bill and asked the Finance Member to behave as a well-meaning stranger now that the family had united to vote together.

MR. FAZAL RAHIMTOOLAH did not agree that Government had adopted the wrong procedure. On the other hand, he welcomed the opportunity provided to test the sense of responsibility of the House so that those who thought the Assembly was right could again reject Government's motion, while those who considered that they were fallible could do otherwise.

SIR HUGH COCKE said that Mr. Srinivasa Iyengar had throughout emphasised that such an extraordinary step could not be justified in the interests of tranquility, but the actual words were "the tranquility, safety or interests of the country." Who could deny that the interests of the country required the salt tax to be restored? The vote on the salt tax was no more than a gesture of the kind previously made which could not be taken seriously.

Mr. Jayakar ought to have known that the vote would embarrass Government. He hoped, for the sake of the dignity of the House, that members would not anticipate the messages of the Governor-General and not stand up.

MR. MUNSHI told the story of an official who described the Assembly as "a monkey house" in order to show the regard they had for the House.

The President wanted to know the name of the official.

Mr. Munshi promised to communicate the name privately to the Chair.

Proceeding Mr. Munshi said that that was the mentality of the official benches, and there was, therefore, nothing strange in the action of Government in advising the Governor-General to recommend the restoration of the salt duty.

Here Mr. Munshi was greeted with cries of "No, no" from the official benches.

Mr. Munshi: Is there no member of the Government who had called the Assembly "a monkey house?"

Home Member: No member of the Government has done so.

Mr. Munshi: The leader of the House is ill-informed.

Concluding, Mr. Munshi said that if Government wanted to help Mr. Srinivasa Iyengar's independence movement they could not have done better than what they did yesterday by asking the Governor-General to make a recommendation against the unanimous verdict of the House.

MR. YAMIN KHAN felt that the remark of the official who described the Assembly "a monkey house" ought to have been treated as a joke by Mr. Munshi. He held that the Governor-General had shown great consideration for the House by giving it another opportunity to exhibit its great sense of responsibility.

MR. RANGASWAMI IYENGAR held that the entire scheme of rules was inconsistent with the Montford constitution. The rule under which Government's point of view had been upheld by the Chan was *ultra vires* of the Government of India Act and would no doubt be challenged in a High Court. He held that Government had acted most unwisely. As for the Finance Member he had made so many promises this year, that he would not be able to fulfil them in his five years term of office, apart from those promises which he would hereafter make.

The House, as representing the tax payer, could not accept the humiliating position. Moreover Rs. 65 lakhs was not such a formidable figure as could not be managed. There was the Army Expenditure, the economy under which could be utilised for this purpose. There were so many reserves.

The speaker did not agree with the Finance Member that the salt tax proceeds should be utilised for beneficial expenditure.

On the other hand the salt tax should be the financial reserve for an emergency and not a financial reservoir for development expenditure.

MR. ACHARYA speaking in the interest of the Government declared that in order to avoid the trouble of finding Rs. 65 lakhs, Government had earned the odium of the whole country at a time when the members were shortly going before their electorates. No action of the authorities would have irritated the electorates

to a greater extent than the one under discussion. It would create the feeling that Government was bent on flouting public opinion in the country.

MR. NEOGY joined the protest against the procedure adopted by the Government in forcing the Assembly to vote against its own previous judgment. He quoted from the proceedings of the Joint Parliamentary Committee's report and the House of Commons' debate to show that the Governor-General's extraordinary powers were to be used only in essential cases arising out of grave emergency. He contended that such a state of affairs had not arisen now, justifying the Governor-General's action. Though Sir Pishottamdas Thakurdas remained neutral when the salt tax was reduced to sixteen annas, if he were present to-day, he would certainly have joined in upholding the dignity and self-respect of this House.

MR. LALCHAND NAVALRAI regretted that Sir George Schuster was getting acclimatized to the Indian atmosphere rather too early. He endorsed the opinion of Mr. Srinivasa Iyengar that the procedure adopted by Government was objectionable and uncalled for.

Sir George Schuster wanted to reply and sought the President's permission. THE PRESIDENT regretted that the mover of an amendment had no right of reply and permission to reply could not be given without thereby creating a precedent.

Sir George Schuster's amendment restoring the salt duty was carried by 46 against 41 votes amidst cheers.

#### The Finance Bill passed.

After the salt tax was restored, the Finance Bill entered the third reading stage. MR. KELKAR severely criticised Government's conduct in forcing down the Assembly's throat a rate of taxation against which it had deliberately voted. This had led him now to vote against the Finance Bill though, in other circumstance, he might have supported the passage of the Bill.

MUNSHI ISWAR SARAN also remarked that he felt bound to vote against the Bill because of Government's mistake in adopting an unwarranted procedure. He charged Government with not having fulfilled its undertaking in respect of reforms for the Frontier. No other speeches were made against the Finance Bill.

Sir George SCHUSTER replying pointed out that normally the loss to the revenues as a result of the Assembly's reduction of the salt duty from twenty to sixteen annas would mean not Rs. 65 lakhs (which might be the figure for the next financial year) but Rs. 14 lakhs. Already there was a deficit in the budget of Rs. 140 lakhs made up of Rs. 90 lakhs as mentioned by Government, plus on postal cash certificates. If the salt tax amendment moved by Government had not been carried the situation would have been very difficult, if not desperate. Hence it was that Government in the interests of the country thought it necessary to move an amendment for its restoration.

Mr. Srinivasa Iyengar and others had argued that this action of Government meant denying to the Opposition any chance of a feeling of real responsibility. But Government could not, under the present constitution, share their responsibility for carrying on the public business with the members of the Opposition, especially when, as Mr. Srinivasa Iyengar stated, they were out not to help the Government but to make difficult for them to carry on the administration.

Under the present constitution there was no chance for the members opposite to be called upon to come over here and make good their policy. (Hear, hear).

MR. NAVALRAI : When is the better constitution coming ?

Sir G. Schuster : Let us face facts as they are. We have done no more than act in the best interests of the country by bringing in an amendment for the restoration of the Salt Tax which has been accepted. Mr. Rangaswami Iyengar has twitted me for having made promises which he thought would take ten years to make good. I have made only one promise and that is of serving the best interests of India.

The Finance Bill was then passed by 50 against 39 votes, Congressmen and Nationalists generally voting against it.



### The Public Safety Bill.

After the Finance Bill had been passed Mr. Patel said that if the House wanted to proceed with the Public Safety Bill, he was entirely in their hands.

In the absence of Mr. Crerar, SIR B. L. MITTER, the Law Member, moved for consideration of the Bill as amended by the Select Committee. He apologised for the absence of the Home Member who was down with fever. He explained the changes made in the Select Committee and emphasised that the Bill was purely preventive and designed to remove British communists.

A voice : Is that the object of the Bill ?

Sir B. L. Mitter : The object is to turn out British communists from the country whose object is, directly or indirectly, to subvert the existing form of Government. Sir B. L. Mitter assured the House that the Bill was limited only to those Communists who were out to overthrow the existing form of Government by violent means and not against any legitimate political movement like the Congress.

Mr. Srinivasa Iyengar : What about non-violent Communists ?

Sir B. L. Mitter : They will get a safe home in India so long as they continue to be non-violent.

MR. JAYAKAR suggested the postponement of consideration of the Bill. He said that the ordinary law had been found adequate to bring Communists to trial as in the Meerut case. Secondly, the debate on this Bill was bound to refer to matters which were *sub judice* (Hear, hear). The very reason why the Viceroy had disallowed the adjournment motion held good against debating this Bill. Moreover Government's hand would be strengthened at the Simla session by the facts regarding the conspiracy which might be established during the trial.

Sir B. L. Mitter regretted that he could not accept Mr. Jayakar's suggestion.

THE PRESIDENT said that Mr. Jogiah had given notice of a regular motion that consideration of the Bill be postponed, which the House had better consider at the next sitting. The House then adjourned till 2nd April.

### President Holds up the Safety Bill.

On the 2nd APRIL, the President made a statement on the Public Safety Bill asking Government to postpone consideration of the Bill pending the Meerut trial. Mr. Patel said :

"Before I ask the House to resume the debate on the motion that the Public Safety Bill, as reported by the Select Committee be taken into consideration, I should like to make a few observations as to the difficulty I feel and I am sure the House must also feel, in the matter.

"Since we met I have been at some pains to examine, study and compare the speeches made by the leader of the House from time to time on the Public Safety Bill on the one hand, and the complaint lodged by the Crown against 31 persons in a Meerut Court. As a result of my labours I found that the fundamental basis for the Public Safety Bill was virtually identical with the case against the 31 accused. In one the Member-in-charge asks this House and in the other the Crown will ask the judge and the jury to hold that.

"(1) There is in existence a powerful propagandist organisation called the Communist International in Russia whose aim is to overthrow and destroy the existing social and economic order, as well as all forms of government throughout the world, by a general strike and armed uprising in accordance with the programme which it has outlined.

"(2) In 1920-21 the said organisation resolved to establish a branch in India and, in pursuance of that resolution, an organisation and its agencies are at work in this country in preparing, practising, and propagating doctrines and pursuing activities directed towards the end they have in view.

"(3) The movement in India has received a good deal of stimulus by the arrival of a foreign communist, named Campbell, in 1925-26 who, for the first time, started a workers' and peasants' party in India in a really active form in pursuance of the programme of the Communist International and, after his removal from India, two other British Communists (who, I understand, are among the accused in the Meerut case) came and have been continuously carrying on,

in conjunction with an increasing body of associates (some of whom, perhaps, are among the accused in that case) incessant activities for over a year and a half in furtherance of the said programme.

"Hon. members are aware that the rules of business of this House provide that no question shall be asked, nor any resolution moved or motion for adjournment made, in regard to any matter which is under adjudication by a court of law having jurisdiction over any part of His Majesty's dominions.

"It has been further provided by Standing Order No. 20 that a member shall not be allowed, whilst speaking on any motion, either on a bill or any other measure, to refer to any matter or fact on which a judicial decision is pending.

"To put in briefly, the House is not allowed to refer to or discuss any matter which is subjudice on the ground that any such reference or decision might prejudice the pending case. The question therefore arises whether it is possible for this House to discuss the motion that the Public Safety Bill, as reported by the Select Committee, be taken into consideration without referring to or discussing any of the matters subjudice in the Meerut trial.

"I think there can be no two opinions that a real debate on the Bill is not possible without an extensive reference and discussion of most of the matters that are subjudice. In fact, I am clearly of opinion that these are the only matters that could be relevant to the issues involved in the Bill and anything else would, strictly speaking, be irrelevant but, under the standing order above referred to, the Chair would be bound to rule out all such reference and discussion and this would make a debate on the Bill impossible.

"Perhaps the Chair might not mind some casual reference here and there of some of those matters during the debate but, in this particular case, it would be necessary for Hon. members to make repeated references and also to discuss the merits of these matters.

"Besides, the acceptance of the Bill would mean, practically, the acceptance of the fundamental basis of the case for it and the rejection of the bill would mean the rejection of that basis and, in either case, such a course is bound to affect prejudicially the case for the prosecution or for the defence in the Meerut trial, as the case may be.

"I do not think, in these circumstances, I can legitimately allow Government to proceed further with this Bill at this stage. I am sure that the unanimous opinion of the House is that we should say or do nothing here calculated to prejudice the Meerut trial one way or the other.

"I have in the circumstances decided, instead of giving any ruling, to advise Government themselves, in the first instance, to consider the observations I have made and the difficulties I have pointed out and postpone the Bill pending the Meerut trial or, if they attach greater importance to passing this Bill at this juncture, to withdraw the Meerut case and then proceed further with the Bill. (Opposition cheers).

"I know that the consideration of this question must naturally take some little time and I have, therefore, decided to ask Government to take up the consideration of the Trades Disputes Bill in the meantime".

Mr. J. CRERAR agreed to take up the Trades Disputes Bill to enable him to place the suggestion of the President before the Government of India for consideration, but could not say what Government's view would be. He pointed out that it would be dangerous to public interests to postpone further consideration of the Bill.

President Patel remarked that he would await the decision of the Government before giving his ruling.

#### EMIGRATION POLICY.

MR. G. S. BAJPAI next moved for the election of a panel of 16 members of the Assembly to serve on the Standing Emigration Committee.

Mr. K. C. ROY (nominated non-official) in opposing the motion, said that the constitution of the Committee was a great handicap to members of the Assembly. He felt sure that no self-respecting member will consent to be elected in the

manner suggested by Mr. Bajpai. The Committee was to be a purely departmental committee to advise the department concerned. His own experience was that the Committee was always consulted on questions of secondary importance, while important questions were always carried through the back-door. He instanced the case of the Hilton-Young Commission's report with recommendations which were of vital importance to India. In this case no opportunity was given to the House to discuss the report and the report was brought before the Standing Emigration Committee by the back-door.

Another case of that nature was the Cape Town Agreement. The Agreement itself was based on the principle accepted by the Imperial Conference of 1918 where the right of citizenship in His Majesty's Dominions was granted to Indians. What had the Emigration Committee done in the matter. Mr. Roy held that it did nothing. He felt that the time had come to review the whole situation which only the Legislature could do, and not a purely departmental committee. Lastly Mr. Roy objected to the constitution of the Committee on the principle of selection from a panel of members of the Assembly. It was, he said, the right of the Legislative Assembly to be the final judge on matters affecting the future emigration policy of the Government of India.

PANDIT MOTILAL NEHRU, supporting Mr. Roy, said that he always objected to the system of indirect election. He made it clear that either on the proposed committee, or on any other committee the Congress Party will not seek election if it was through selection from a panel elected by the House.

Mr. BAJPAI, replying to the debate, said that he was taken by surprise, for never in his experience in the House did he know of any objection taken on indirect election. On the other hand the House gave a verdict in favour of indirect election in 1924 when a debate on the question was initiated by Mr. K. C. Neogy. It was a question of principle, and he could not off hand commit the Government to any one point of view.

Replying to the criticisms of Mr. Roy Mr. Bajpai reminded the House that the Kenya Commission's report was discussed by the Emigration Committee and the question of sending a deputation to South Africa was also decided by the same Committee. It was wrong to say that only questions of secondary importance were placed before the Committee for discussion.

Mr. Roy : You ought to consult the Legislative Assembly and not a purely departmental committee. Mr. Bajpai referred to the Hilton-Young Commission's report and said that the Government had consulted the leaders of important parties and he did not know in what better way they could have ascertained the wishes of the House. Government, he said, had not adopted any back-door policy to get the Commission's report adopted. He reminded the House that the Government of the Colonies were very touchy.

The Government of India, he said, never believed in a hush-hush policy and if after they had taken action on the report the House felt that there was room for improvement, Government will, he said, afford an opportunity to the House to discuss the report.

Referring to the question of the emigration policy of the Government of India, Mr. Bajpai said that the Government were considering the whole question. He appealed to the House not to deprive the Government of the benefit of eliciting the opinion of the House through the proposed committee.

Mr. Fazal Rahimatoolla :—Why not elicit the opinion of the House on the floor of the House ?

The House divided and the motion of Mr. Roy was rejected by 45 votes to 41.

#### ROAD COMMITTEE

Sir B. N. Mitra next moved for the election of a panel of 12 members to serve on the Road Committee. He said the motion was the result of the recommendations of the Road Committee which had proposed the election of members of the Committee through a panel of the Assembly.

Mr. K. C. Neogy, whose motion in the first Assembly was responsible for the setting up of departmental committees, said that the Assembly had throughout

stood for elected committees and not for a panel of committees from which the Government were to select members to sit on committees.

Mr. M. R. Jayakar, chairman of the Road Committee, explained that the interpretation which the Government were putting on the term "departmental committee" was not present in the minds of the Road Committee who thought of an elected committee, and not a panel for the committee.

Dewan Chamanlal, a member of the Road Committee, endorsed Mr. Jayakar's observations and stood for election in the same manner as the Standing Finance Committee was elected.

Sir B. N. Mitra said that the Standing Finance Committee was a body composed by the Assembly, while a departmental committee was constituted out of a panel chosen by both Houses.

The House divided and Sir B. N. Mitra's motion was defeated by a majority of one vote, 46 members voting and 47 against the motion. Mr. Jayakar remained neutral.

Sir B. N. Mitra on hearing of the result of the voting informed the House that as a consequence of the Assembly's decision there will be no members of the Assembly on the committee.

### The Trades Disputes Bill.

Sir B. N. MITRA next moved for consideration of the Select Committee's Report on the Trades Disputes Bill. He said the Select Committee upheld the principles underlying the bill, but had made some changes in detail which he did not wholly like. He had, however, agreed to accept these changes in the hope that an effective machinery to settle industrial disputes would be devised.

DEWAN CHAMANLAL said that the House did not expect the Bill to be taken up to-day as they all thought the Public Safety Bill will be taken up. He suggested the postponement of the consideration of the Bill till next day.

Mr. V. V. JOGIAH supported this suggestion. But when this suggestion was not acceptable Mr. Jogiah moved that the consideration of the Bill be adjourned till the Whitley Commission had reported. Mr. Jogiah said he would have to refer to the activities of those connected with the Meerut conspiracy case as they were connected with the labour movement.

The President said he could not allow any reference to a matter which was sub-judice.

Sir. B. N. MITRA opposed the motion of Mr. Jogiah which was put to the vote and lost without a division.

DEWAN CHAMANLAL opposing the Bill said that while the whole Trade Union Movement was convinced of the need of legislation for the prevention and settlement of trades disputes, it was also convinced that the two extraneous principles of a penal character which were introduced in the Bill would, far from preventing disputes, increase the number of labour disputes. Dewan Chamanlal challenged Sir B. N. Mitra to show if any Trade Union, affiliated to the Trade Union Congress, supported the measure.

Sir B. N. Mitra : I do not accept the position that the Trade Union Congress is representative of the Trade Union Movement in India.

Dewan Chamanlal : Why then do you accept its nomination in sending delegates to Geneva? Sir. B. N. Mitra : No

Dewan Chamanlal : Give me one instance during the last five years when the recommendation of the Trade Union Congress was not accepted. He next stated that the Indian National Congress held at Calcutta also issued a mandate to Congress members to oppose the Bill tooth and nail.

Continuing, Dewan Chamanlal said that Labour was totally unrepresented in the House and it was but fair that those whose future destiny they were going to decide should be consulted in the matter. If for no other reason than for eliciting opinion on the question of picketing, Government should circulate the Bill. Dewan Chamanlal next quoted workers' opinions in the Bill and said they were unanimous that the penal clauses of the Bill should be deleted as they were regarded as harsh and one-sided.

While Dewan Chamanlal was quoting these opinions Sir B. N. Mitra said he had read them all to which the Speaker replied that he regretted that even then the Member for Labour was not moved in favour of the circulation of the Bill.

Government, Dewan Chamanlal said, proved no case for rushing the Bill through this session of the Assembly.

SIR DARCY LINDSAY said the stage to adduce the arguments which Dewan Chamanlal had done was when the Bill was referred to a Select Committee. He, as the president of the Committee, assured the House that the discussions in the committee were far from being acrimonious. On the other hand he never had the pleasure of presiding over a committee which showed better feelings. Dewan Chamanlal was given every opportunity to put forward his case which was heard with the greatest attention. The Assembly at this stage adjourned.

On the 3rd APRIL, Mr. Jamnadas Mehta, resuming discussion on the Trades Disputes Bill, concluded his speech by opposing the Bill which he said, would make slaves of 27 lakhs of workers.

He characterised the Bill as reactionary and inhuman and against the spirit of the time, calculated to inaugurate the system of forced labour and to give a charter to the employers to tyrannise over workmen and prevent them from fighting for the liberty of their country by taking away their personal liberty. He, therefore, opposed all the clauses of the measure.

MR. SRINIVASA IYENGAR supported circulation of the motion. The working classes were not represented in this Assembly and Mr. Joshi, who could speak with authority on this subject, was unfortunately absent. A Labour government might come into power in England as the result of the general election in Britain. The working classes in India were not well organised nor was their conclusion satisfactory. The level of their wages was low. It would be wise on the part of Government to make this bill a first class electoral issue.

The bill had been modelled on the English law. The conditions in India differed from the conditions in England. Heavy, therefore, was the responsibility of those who wanted immediate consideration of the Bill. Provincial Councils should be consulted before proceeding with a measure of such far-reaching consequences. It was a really repressive kind of legislation and the first part was but a camouflage to cover the mischievous clauses from 15 to 18.

The Government of India was unsympathetic towards labour whose complaint that the bill was being rushed through was legitimate. It was gratifying that an employer of labour like Mr. Birla, who was a member of the Select Committee, had in his dissenting minute opposed the second part of the Bill. Unless the working classes had the legal right to strike, how were they to make their grievances felt by an unsympathetic capitalist or by Government. He would not deprive even a scavenger of the elementary right to strike.

Mr. Thakurdas Bhargava characterised the Bill as a political measure and not a genuine trades disputes bill. He was surprised to find Government opposed even to its circulation.

Mr. Ranga Iyer agreed with Mr. Bhargava and said that the Bill should be consigned to the waste-paper basket as it was an attack on labour which was gaining strength all over the world.

Mr. M. K. Acharya referred to the improvements made in the Select Committee in order to make the Bill more acceptable and urged the Opposition and labour leaders to pass the measure and bring in an amending bill, if necessary, after gaining experience of the working of the Bill.

Mr. Amarnath Dutt considered the Bill to be an invasion on individual rights and after a critical analysis of its clauses dismissed the Bill as reactionary.

Mr. Fazal Rahimtullah said that no case was made out for the re-circulation of the Bill. He appealed to the House to co-operate with the Government when such a co-operation was for the betterment of the country. (A voice : What is the hurry in passing the Bill ?)

Mr. Fazal Rahimtullah : The hurry is we want to stop the Congress leaders from exploiting Labour in India. (Laughter and applause).

Mr. Kelkar, he said, had accused Sir Purshotamdas Thakurdas of indifference. Mr. Fazal Rahimtullah contended that Sir Purshotamdas was a busy man and could not wait because the Congress obstruction prolonged the Assembly session. It was the Bombay commercial community which urged the Government to forward this piece of legislation.

Sir Purshotamdas had advocated the passage of the Bill during the last session of the Assembly. Any changes which the House considered necessary in the Bill could be made during the consideration of the clauses.

Mr. K. C. ROY, speaking as one of the signatories to the Select Committee's report, said that the Bill was amended with three principles in view, namely, the betterment of labour, the betterment of industry, and the betterment of society. The select Committee had improved the Bill considerably and had deliberately stated that there was no case for a re-publication of the Bill. No minute of dissent either suggested re-circulation, nor had any newspaper or public organisation made this suggestion. Why not, he asked, have the Bill to lay the foundation of a proper Trade Union Movement in India? There would be time enough to improve the Bill, the life of which was limited to five years.

Mr. Roy said he was responsible for the inclusion of lawyers in the proposed court of inquiry. Mr. Roy particularly approved of the clause dealing with public utility services and felt that the Bill would have been incomplete without this provision and without making strikes and lock-outs illegal.

He referred to the views expressed on the Bill by the Bengal National Chamber of Commerce and said that the Assembly would have a chance to change the clauses of the Bill by amendments. The bill, according to him, was a beneficial measure. He was sure that Sir B. N. Mitra would not have been the author of the Bill if it hit Labour (Applause).

Mr. NILKANTA DAS felt that capitalists had come out with the truth when Mr. Fazal Rahimtullah said that the object of the Bill was to stop the exploitation of labour by the Congress. It has been the policy of the Government, he said, to keep the people half-starved, so that they could never think of Swaraj. The basic principle of Indian life was, therefore, the struggle for Swaraj and it was idle to talk that they could have water-tight compartments for politics and labour. What they should stop was the economic exploitation of Labour which was in progress in the country.

Sir B. N. MITRA said that there was not much substance in most of the opposition speeches. He regretted that the House had adopted the unusual course of a dilatory motion after the principles of the bill have been accepted and in the face of the unanimous recommendations of the Select Committee that the Bill should not be materially altered to require recirculation. All the important organisations in India had expressed their opinions on the Bill as a result of wide circulation.

The Select Committee consisted of the representatives of all shades of opinion and 14 out of the 19 members, including Mr. G. D. Birla, voted for clause 15. Thirteen members voted for clause 16.

Sir B. N. Mitra quoted from the League of Nations manual to show that there was no attempt to take away the elementary right of the worker to strike. He said that the provisions incorporated in the bill were not copied from the anti-strike law of England alone, but of other countries of the world as well. Concluding he declared: "Do not impute motives to me. My withers are wholly wrong and I hope the house will vote for the consideration of the Bill."

Dewan Chamanlal's motion for re-circulation of the Bill was lost by 60 votes against 41. The motion for consideration of the Bill was carried by 59 votes against 40.

Dewan CHAMANLAL then moved for an amendment of clause two (definition clause) that no official financier, director of a joint stock company or a Jandholder should be the chairman of the arbitration board. The Law Member remarked that the amendment would make the clause unworkable as it was very difficult to define individuals sought to be excluded. The amendment was rejected. The house then adjourned.

### Official statement on the safety Bill.

On the 4th APRIL, immediately after the President took the chair, Mr Cramer rose to make a statement on the Public safety Bill. He said :—

"You drew the attention, Sir, of Government last Tuesday to certain difficulties which you felt in connection with the further discussion in this house of the Public Safety Bill. I understand your difficulty, put shortly is that, the case for the Bill and the case for the prosecution in the Meerut conspiracy case are substantially the same. Therefore, it is not possible to argue the case for the Bill without arguing the case for the prosecution and making statements which are likely to prejudice the trial.

"You also suggested, if I understand you aright, that apart from the actual discussion in the House, if the House accepts the Bill it will prejudice the trial. You doubt whether, in these circumstances, in the discharge of the power that you conceive the Chan to possess, you can allow Government to proceed further with the Bill at this stage and you have accordingly advised Government either to postpone the Bill till the conclusion of the Meerut trial or withdraw the Meerut case and then proceed with the Bill.

"Government have given their very careful consideration to these views. It appears to them that they rest, in part, on a misunderstanding of the facts and, in part, on a misconception of the powers conferred upon the President by the rules and standing order of this chamber.

"With regard to the first point, Government in the discharge of their responsibilities, are entitled to ask this House to entrust them with certain powers. For this purpose they do not require to refer to any detailed allegations which will be for the adjudication of the court and they are of opinion that nothing need be said which would prejudice the matter which is before the Meerut court, namely whether the 31 accused persons, or any them, have entered into a conspiracy to deprive the King-Emperor of his sovereignty of British India.

"The principle of the Bill has already been subjected to a most comprehensive discussion in two sessions and has recently been affirmed by the House by a substantial majority. The primary matter now before the House is the consideration of the changes of detail made by the Select Committee in respect of the adequacy or reasonableness of the powers to be conferred and amendments of which Hon. Members have given notice. It does not appear to Government that a discussion of these matters, with due regard to the observance of the rules prohibiting reference to facts on which a judicial decision is pending, need not cause any inconvenience to the House of embarrassment to the Chan in maintaining the rule.

"This view is reinforced by the fact that you, Sir, found no occasion, when the Law Member moved on March 28 last that the Bill, as reported by the Select Committee, be taken into consideration, to object to anything that was then said on behalf of Government on the ground that it infringed the provisions of Standing Order 29.

"The point, however, to which Government attach the greatest importance is that, in their opinion, neither the legislative rules nor the standing order confer on the President the powers, which you apparently claim, of refusing to allow further discussion of the Bill on the grounds suggested. Rules, 8, 12 and 23, on which you appear to rely, do not relate to the discussion of Bills or of their contents being restricted but to questions, resolutions and motions for adjournment.

"In the case of a Bill, the relevant powers of the President in the matter of debate are contained in Standing Order 29. It is his duty to see that the directions laid down therein are observed. The power vested in him is to be exercised for the control of individual members while speaking and cannot be employed for the purpose of preventing Government business from being transacted.

"As I have already indicated Government will give every assistance to the President in ensuring that, on their part, the rule which prohibits reference to matters of fact, on which the judicial decision is pending, is not violated and they have every confidence that you will be able to regulate the debate in accordance with the rules of the House.

"But they must repeat that, in their opinion, no rule of standing order of this chamber authorises the President to decide whether Government should or should not be allowed to proceed with the legislation which it desires to submit for the consideration of this House in a case where all the requirements of the rules and standing orders preliminary to the moving of a motion have been fulfilled, as they have been in respect of this Bill, and must make it plain that Government would regard any such claim as incompatible with the undoubted discretion of Government under the constitution to decide what legislation they shall ask the House to pass, and when and the equally undoubted right of this House to decide whether it will discuss and pass the legislation so placed before it.

"The House is now seized of the Bill and I submit that it is beyond the powers of the Chair to withhold the Bill from consideration. In the circumstance you will understand that Government regret to find themselves unable to accept either of the alternative suggestions you put before them. They regard the passing of the Bill as a matter of urgent importance to enable them to fulfil their responsibilities for the government of the country and they could not contemplate the withdrawal of the criminal case, the decision of which they regard as essential in public interest.

"The submission of Government, therefore, is that in accordance with the rules of the house you should direct the House to proceed, as soon as may be, with the consideration of the Public Safety Bill".

Pandit Matilal Nehru, supported by Sir Percy Lindsay and Pandit Malaviya wanted time to consider the long and learned statement of the Home Member and express their views before the President gave his ruling.

The President agreed with the party leaders and asked the Home Member to circulate copies of his statement so as to enable the President to give his considered opinion.

Mr. Crerar promised to circulate copies to the leaders and said.—

In that case I would make the request that, when you announce your conclusions, you will give me an opportunity of making a further statement as to the position of the Government.

The President remarked—The Chair will have to consider that.

### **The Trades Disputes Bill.**

The Trades Disputes Bill was then further discussed clause by clause. The definition of public utility service had been reached when Dewan Chamanlal wanted to deal with it along with Clause 15. He, therefore, wanted Clause 15 to be taken up first.

Sir B. N. Mitra opposed the demand as he considered the disposal of Clause 2 to be an essential preliminary disposal of the latter clauses.

Messrs. Sinnivasa Iyengar and Ramaswami Iyengar maintained that the interpretation of these clauses should be taken up after the substantial clauses had been passed. The President allowed Clause 15 to be taken up.

Mr. V. V. JOGIAH criticised the measure as being far wider than it should have been.

DEWAN CHAMANLAL moved for deletion of clause 15 of the Bill. He described the Bill as "a panicky piece of legislation". He held that the clause under discussion would take away the workers' right to strike. It was not, he said, practical politics to have a law which they could not enforce, for besides the penal clauses, Government, he thought, could not find accommodation in prison for the large number of people who may break the law.

Lastly it was idle, in his opinion, to talk that they could find trained men to run any public utility service within 15 days of a strike. If the Government, he said, wanted to copy the English anti-strike legislation they should first have relief measures like Maternity Benefit, Old age Pensions and Unemployment Doles.

MR. T. A. CHALMERS was of opinion that clause 15 was entirely for the protection of the public. He knew cases where the public, as a whole, were willing to forego some of their privileges if they were for general good. In this case they were asking the House to deprive some of the public of some of their rights in the interests of society as a whole. Mr. Chalmers appealed to the Government to see that no undue hardship was inflicted on the workmen.



COL. H. A. J. GIDNEY told the House that he had been opposing the penal clauses of the Bill from the beginning, but the fact that the Railwaymen's Federation had elected two Communists as their life presidents and got the Federation affiliated to the Communist International had made him change his mind.

MR. S. SRINIVASA IYENGAR felt it useless to penalise workers after they had gone on strike and done the necessary mischief. In his view it was not fair on the part of the Government to legislate for forced labour in the country. He suggested that the penal clauses of the Bill should be held over till the Government had sufficient experience of the Bill.

MR. J. K. MUNSHI thought that the clause will make strikes impossible, for the moment the workmen gave 15 days' notice to their employer, the employer could retaliate by giving counter notice of a lock-out.

MIAN SHAH NAWAZ opposed the amendment. He held that a private right should not be used to inconvenience the public.

MR. M. S. ANEY said that the difficulties of the employer were the opportunities of the workmen and inconvenience to the public which resulted in public sympathy which in its turn was instrumental in bringing about a settlement advantageous to Labour.

SIR DARCY LINDSAY could not understand "this howl against clause 15" which to him was not more penal than the clause in the Post Office Act. How had, he asked, Mr. Jamnadas Mehta, a Member of the Bombay Corporation, forgotten that Bombay sweepers had the same penal provisions against them.

PANDIT THAKURDAS BHARGAVA said that no cause was made out for depriving the workmen of the right to strike. He agreed that some such provision as provided in clause 15 was necessary in public utility services. In the absence of other provisions found in the laws of other countries in the Bill, clause 15 was unacceptable to him.

SIR B. N. MITRA pointed that there were two cases in which penal provisions contained in the municipal laws were utilised. He had already shown that there was no inherent right to strike. The right to cease work was inherent in the right to work. But the right to strike was not inherent. [Colonel Gidney: Don't they cease work when they strike?]

SIR B. N. MITRA. The right to strike is denied to workers in public utility services in other countries. The only way in which workmen could improve their condition was to secure the goodwill of the society by their good behaviour towards it.

Dewan Chamanlal's motion for deletion of clause 15 from the Bill was lost by 38 votes against 55.

DEWAN CHAMANLAL next moved for the deletion of clause 16 of the Bill. He said that the clause was intended to make general and sympathetic strikes illegal. Legislation preventing such strikes, which was passed in England, had been regarded as the most deadly weapon in the hands of employers.

Dealing with sympathetic strikes, Dewan Chamanlal said that Government did not realise that modern industry could not be shut up in water-tight compartments. One industry, say coal, was inter-dependent on another industry like railway, though legally both were independent of each other. Now if there was a strike in coal industry, and a sympathetic strike in Railways—carriers of coal—will it be, he asked, legal?

SIR B. N. MITRA: Yes, if the strike satisfied the conditions of the Bill.

Dewan Chamanlal: But that is not equitable.

He held that the Government had not considered the serious consequences of one day's general strike. He reminded the House that a similar legislation against sympathetic strikes was attempted in England. What was the result? The Government had to give in. He warned the House that the Bill will not prevent strikes, or bring in an era of industrial peace but will, in his opinion, only lead to an unprecedented and an undreamt of trouble in industry. The speaker said that much was said in the Assembly yesterday, that Government were anxious to stop labour from being exploited by politicians. He challenged any one to show that during th

last nine years a single strike was instigated by any politician to serve his own ends. On the other hand, those who profess great sympathy with labour and wish to guard it against political exploitation, were daily exploiting it for their own selfish ends. Strikes and direct action were the sanction behind the workmen's demands and by the Bill Government wished to take away that right from labour.

"There was no greater slavery than to compel a man to work against his will. Every worker had a right to coerce the Government if they were in the wrong and if his grievances were not redressed.

"When the Central Moslem group could coerce the Government occasionally by refusing votes, when even the nominated members of the Assembly could coerce the Government by withholding help from Government, why should not Government officials coerce the Government? "If the Law Member could not define yesterday who a landowner was, how much more difficult it should be to define the vague expression, 'severe, prolonged general hardship'."

At this stage the President adjourned the House. He informed the House that the Assembly's views on Mr. Crerar's statement regarding the Public Safety Bill will be heard to-morrow before the debate on the Trades Disputes Bill will be resumed.

### The Safety Bill Controversy.

On the 5th APRIL Mr. Crerar asked the precise points on which the opinions of members were being invited by the Chair over the Public Safety Bill controversy. There were two conceivable points. Firstly, whether the discussion on the bill should be proceeded with. This should normally be disposed of on Mr. Jogiah's motion so that the only point arising for opinion was the power of the Chair and he hoped the discussion would be limited to that.

The President said he wanted opinions on two points. Firstly, whether it was possible to have a real and reasonable debate on the motion made by the Law Member in connection with the Bill in view of the pending prosecutions.

The President called upon Pandit Motilal Nehru to initiate the discussion.

PANDIT MOTILAL NEHRU who was cheered by the Opposition benches, upheld the President's contention against the progress of the Bill till the Meerut case was concluded. He went into an elaborate examination of the rules and standing orders and contended that the President was the sole judge of what was reasonable debate and no Government measures could be an exception to the general rule that there should be no infringement of the right of reasonable debate. The Standing Orders clearly showed that.

The House could not adduce arguments either in favour of or against the Bill without infringing the rule that matters which were sub-judice should not be brought into debate. The present was such a case. Here was a measure which was affected by the very disability which was attached to the speeches of members and it was impossible to discuss the Bill without discussing the merits of the Meerut conspiracy case. The cardinal points in that case were the existence of an organisation in Russia called the Communist International which aimed at an armed revolution and the overthrow of the existing forms of Government and, secondly, that the Communist International was carrying on propaganda through some agencies, which were mentioned, in order to fulfil that aim. Both these points were challenged and both these formed the basis of the charge in the Meerut case and the case of Government for passing the Bill.

Hence, speaking on behalf of the entire Opposition, Pandit Motilal contended that the Bill could not be proceeded with when the Meerut case was pending and, therefore, supported the President's contention that further progress was not possible.

SIR DARCY LINDSAY, Leader of the European Group, while appreciating the fears of Pandit Motilal that the debate might be muzzled, protested strongly against the President's statement which would set him up as a dictator and take away from the House its right to give judgment on the Bill. He held that the president could not anticipate the character of the debate and, even if no debate was possible, he must leave the House to determine its course of action and not arbitrarily deprive

the House of its rights? He hoped the President would show continued wisdom by giving a ruling in favour of Government.

SIR ZULFIKARALI KHAN, leader of the Central Moslem Block, endorsed Sir Darcy Lindsay's view and warned the President against a misuse of his power. If the debate was not allowed according to the democratic constitutions of the world, its effect would be to curtail the liberty of members of the House and to strangle the debate arbitrarily.

MR. M. R. JAYAKAR agreed with Mr. Ciarar and Sir Darcy Lindsay that there was no standing order which gave the President power to stop a debate but they must proceed by implication. In Standing Order 29, namely, that when it was impossible, to carry on a debate without being called to order every second minute, the President had the right to stop such a debate which would otherwise be futile and a farce. The President must possess those powers and would, no doubt, exercise them wisely.

He maintained that out of six points involved in the Meerut trial, four were identical with the case underlying the Public Safety Bill. Could then the debate take place without perilously infringing the right of real and adequate debate.

Moreover, they being an infant body, their standing orders must be liberally interpreted and the Assembly must be prepared to let its liberty be regulated by the President. The Bill for the first time made the fomenting of industrial and agrarian unrest an offence and, this point being also before the court, it was possible that the court would be influenced adversely against the accused by the proceedings of this bill.

SIR B. L. MITTER, Law Member, asked the House to follow the true spirit of the rules and standing orders. He maintained that all the arguments and facts, for and against the Bill, had been canvassed in two previous debates and so it could not be argued that there had not been a reasonable debate.

Mr. Rangaswami Iyengar interrupted that the question was that there should be a reasonable debate on the motion before the House, namely, that the Bill as amended by the Select Committee be taken into consideration.

Sir B. L. Mitter: I was looking into the spirit of the expression "reasonable debate." So far as the Public Safety Bill is concerned there has been a full and exhaustive debate.

A voice: What about the sixty amendments on the agenda?

Sir B. L. Mitter: Sir, no new substance and no new arguments are necessary in support or opposition of the Bill. Pandit Motilal has not discussed the question of the powers of the Chair. Probably the leader of a party which is genuinely opposed to arbitrary powers will not lightly surrender even to Mr. Patel.

Pandit Motilal: I spent half an hour on that.

The Law Member, proceeding, admitted, amid non-official applause, that there might be some handicap on the House as some material upon which the Bill was based was almost the same as that on which the prosecution case was pending at Meerut. But the factors for the consideration of the House was not new. Supposing, for instance, the ordinary law was not found sufficient to deal with a certain species of crime in the country and that under that law some persons were under trial and at the same time the crime became widespread and dangerous throughout the land and the legislature was approached for further powers to deal with the situation, then how could the legislature argue that, because some persons were under trial under the ordinary law and their case was *sub judice*, it would not discuss the new law. That would, indeed, be denying to the legislature the power to legislate to deal with an emergent situation. The objection of Pandit Motilal would, therefore, paralyse the hands of Government and the legislature.

I maintain that it is the easiest thing in the world to make a one hour speech on the second reading of the Bill without infringing Rule 29. Of course, you may say that there has not been a full debate, but that risk we take.

The President: Will the Law Member state on behalf of Government whether they are entitled to ask the Chair to put the motion when there can be no full debate on the motion?

Sir B. L. Mitter : I am not suggesting that for a single moment. But there can be a reasonable debate.

Proceeding the Law Member affirmed that the legislative action was for the future while the object of the prosecution was to apply the existing law to the individuals involved. Danger was apprehended by the spread of Communist doctrines. Government wanted to guard against that.

The Law Member, continuing, asserted that where a new point of order arose for which there was no express precedent it was not for the Speaker but for the House to decide.

The President : That is news to me. Will you explain ?

The Law Member quoted a well-known authority on the British constitution regarding the powers of the Speaker in support. (Applause) The house was the repository of its own procedure.

Mr. S. SRINIVAS IYENGAR said that he would discuss the matter as a lawyer and as a member of the Assembly. Sir Darcy Lindsay had, he said, complained that the President was becoming the dictator of the House, but Rule 15 left it entirely to the Chair to decide on every point of order and his decision was final.

There had been several misconceptions during the debate on point. It had been assumed that in the case of Bills there should be a separate procedure adopted for questions, resolutions and motions of adjournment. The speaker quoted from Maine's Parliamentary Practice that the procedure must be uniform.

RAJA GHAZANFAR ALI, Secretary of the Independent Party, regretted that neither the leader nor the deputy leader of his Party was present in the House to speak on the point under debate.

The members of the Independent Party, he said, carefully considered the two statements and they held that the Chair was fully justified in giving a strong warning to the Government that the discussion on the Public Safety Bill should not in the least way prejudice the Meerut trial. They could not come across any rule or order which authorised the President to take action to hold up the Bill.

Mr. Jinnah had sent them a telegram this morning, which said : "My opinion is the President cannot stop further consideration of the Bill". Raja Ghazanfar Ali hoped that the President would reconsider his statement which was a mere advice and use his powers under Standing Order 29 to regulate the debate. He assured the Chair of his Party's anxiety to maintain the dignity of the Chair.

The President then called upon Mr. Cierai to sum up the discussion.

Mr. Cierai appealed to the President not to take a course which would mean an invasion of the responsibilities of the Government and a very serious invasion of the privileges of the members of the House.

If the view was taken that in no circumstances should this house be asked to legislate on matters which was for the time being sub judice, then the Government of this country and of this legislature would be deprived of the means of carrying out one of the greatest and most fundamental responsibilities, namely, the responsibility of maintaining public security. The defence of the Realm Act and the Protection of Property and Person Act of 1881 were passed in Parliament when matters that were covered by these were before the courts.

Dewan Chamanlal then resumed his speech on the amendment of the trades Dispute Bill after which the House adjourned.

#### OFFICIAL DISCOURTESY TO PRESIDENT

On the 6th APRIL, Sir B. N. Mitra, in the absence of Mr. Cierai, wanted from the Chair a ruling regarding the Public Safety Bill to enable Government to settle their business for the next week.

The President wanted to know what business they had for the next week as Government had not approached him on the subject.

Sir B. N. Mitra suggested that the House should sit from Monday next until the remaining Government business was concluded. He pointed out that the Trades Disputes Bill still remained to be disposed of and the Council of State had yet to consider it. There was the possibility of amendments being made in

the Council of State and the Trades Disputes Bill would not become law unless it was passed by both the Houses. The Assembly should in any case, remain in session until it was known how the Bill fared in the Council of State. But how long the Assembly would have to sit next week depended on the President's ruling about the Safety Bill.

The President : That means that the House will be kept going till Thursday next. Is that the position of Government ?

Sir B. N. Mitra : That looks probable at the least.

The President asked the Assembly whether it was willing to sit till Thursday.

Mr. Srinivasa Iyengar left it to the Chair to decide whether the Assembly should be debarred for any length of time for the purpose of such nebulous and theoretical Government business as might come up.

Mr. Rangaswami Iyengar reminded the Assembly of Mr. Crier's last statement on the subject that the only Government business was the Trades Disputes Bill and the Public Safety Bill. He did not see why there should be something else next week. There was not the slightest chance of the Council of State making any amendment to the Trades Disputes Bill.

Sir Darcy Lindsay agreed with Government that it was not proper for the Assembly to be dissolved before the Council of State had finally disposed of such matters as were referred to it from this House. On behalf of the European Group he urged the President to give his ruling regarding the Safety Bill at once. He had cancelled his passage to England in order to remain and help the Chair, being one of the panel of Chairmen, with such assistance as he might render.

The President : The Chair is obliged to the hon. member.

It would be convenient for members to know the President's decision at the earliest possible moment. "We have been good friends all the time and I do intensely dislike lobby gossip and newspaper reports to the effect.

The President. This is all irrelevant.

Sir Darcy Lindsay : The gossip is that you would defer your ruling until all the business of the House comes to an end.

The President remarked something which could not be heard in the Press Gallery.

The President : In all fairness the House will recognise that Government should tell the Chair what their plans are regarding Government business in order to enable the Chair to make up its mind.

Sir B. N. Mitra : It is hardly fair to ask Government to make any statement in the event of something hypothetical happening regarding the state of business next week. Mr. Crier's previous statement clearly was that Government wants to continue until the whole of business is completely disposed of. It is not known when the Trades Disputes Bill will be disposed of in the Council of State. The next point is that Government cannot make any statement regarding other business or on matters arising out of that business until they are in a position definitely to know your ruling.

Mr. M. Keane referred to the fact that the motion that the Public Safety Bill be taken into consideration had not been disposed of, as was required under Section 63, Government of India Act, which laid down that any motion put from the Chair must be decided by a majority of the House.

The President : Mr. Keane, who is an ex-President of the United Provinces Council, knows that so often do we propose questions from the Chair and points of order are raised and the original question is ruled out of order. Now, in view of the fact that Government are not prepared to show to the Chair the courtesy of disclosing what their plans are, I refrain from giving my ruling.

The Assembly then proceeded with the Trades Disputes Bill.

#### Trades Disputes Bill.

PANDIT THAKURDAS BHARGAVA, concluding his speech, held that the clause aimed Government with powers which made every strike illegal.

SIR B. N. MITRA, replying to the debate, felt that the lengthy strike speeches by the mover of the amendment were to no purpose and had only resulted in a

waste of public money by prolonging the sittings of the House.

The Bill was only for five years and could be revised if it was then found unworkable or defective. The Opposition had failed to realise the real object of Clause 16. In no way could it be described as slave legislation. Even the International Labour Office had held that labour did not possess the right to strike under all circumstances.

SIR B. N. MITRA appealed to the Opposition to help workmen to organise small units of trade unions under one employer meant ultimately to be linked to one big trade union. The clause under discussion in a way attempted to thwart that upward movement of trade unionism.

He agreed with Colonel Gidney that one day's general strike was not made illegal under the Bill as it was held it would not cause general and acute inconvenience to the public.

The House rejected the amendment and accepted the original clause by 65 votes to 42. The House then adjourned.

On the 8th APRIL. Mian Shah Nawaz, Col. Crawford and Mr. Acharya supported the third reading of the Bill.

Mian Shah Nawaz felt that the Bill did not touch labour strikes at all unless they satisfied the condition that they were for an object other than a trade dispute and were calculated to inflict prolonged hardship on the public. The speaker held that Government had a right to penalise strikes in the public utility services in order to see that trade and industry did not suddenly close down.

Col. Crawford thought that the condition of labour in India vastly differed from that in the West. He personally would have welcomed a Labour Research Bureau instead of the proposed legislation with a view to find out the means of securing industrial peace. The legislation now before the House will also meet the case to some extent. The Speaker strongly urged that as Government had imposed restrictions on Labour, they should also see that their conditions of service were satisfactory. In conclusion, the Colonel regretted that Labour did not represent their case before the Simon Commission for increased representation in the Legislature and it fell to the Europeans in the country to advocate their cause.

Mr. Acharya held that the whole Bill was not condemned by the Opposition and in rejecting the Bill as a whole now, the House will reject also the beneficial clauses. Strikes in industries were not every day phenomena and he felt the Bill, in spite of the penal clauses, was in the interests of the country and labour.

Mr. Fazal Rahimtullah, representing capitalist interests, opposed the bill. (Congress cheers). He said that the division on his amendment to penalise picketing revealed four things: Firstly, the Swarajists could walk into the Government lobby; Secondly, that Government could deliberately create a division between Labour and Capital. Thirdly, there was no united action between the Provincial and Central Governments. Fourthly, such a Government could not be trusted with the powers the Bill conferred.

Mr. Chalmers: You can't trust Government which walks into the Swarajist lobby? (Laughter).

The speaker challenged the authority of the Industries Member to give any promise in the Select Committee against the adoption of picketing without taking the decision of the House. He regretted that Mr. Allison voted against his amendment, which vote was opposed to the view of the Bombay Government. Mr. Webb's neutrality was more to the speaker's liking. Finally he hoped the Government would reconsider the position and get the amendment passed in the Council of State as even now it was not too late.

Colonel Gidney supported Mr. Rahimtullah's point and held that the amendment against picketing was the nucleus of the Bill and anticipated the possibility of the Council of State making this change and the Bill returning to the Assembly with the amendment without which there would be no check to politicians exploiting Labour Unions.

Sir Bhupendra Nath Mitra replying on the debate emphasised that in no country, except Esthonia, was the inherent or absolute right of workers to strike

admitted. The Bill had been limited to five years because there might be a change in the constitution in the meanwhile and any new body which might be more representative should be given the opportunity of reconsidering this Legislation. Sir B. N. Mitra continuing said that he felt sure that Dewan Chamanlal would be the last person to incite a strike calculated to inflict general and prolonged hardship upon the community.

Referring to Mr. Fazal Rahimtullah's and other's criticisms of Government for not moving amendments or supporting amendments he said that this would be against the spirit of compromise arrived at in the Select Committee.

The Bombay Government supported the suggestion of a provision against picketing because it was thought that an opinion, which first emanated from the Indian Merchants' Chamber of Bombay, might find support but "let it not be forgotten that Sir Purushottamdas Thakurdas, the representative of the Chamber, himself decided not to pursue the matter in the Select Committee.

Sir B. N. Mitra affirmed that the Bill was in the interests of Labour for the welfare of the community and the development of Trade Unions and was not a tragedy as described by Dewan Chamanlal. The House then divided and the Bill was passed by 56 votes to 38.

### House Shocked by Bombs.

When the Trades Disputes Bill had been passed and President Patel got up to give his ruling on the Public Safety Bill, two bombs fell from the gallery near the seat of Sir George Schuster. The House dispersed at once in panic. Sir John Simon was in the President's gallery when the bombs fell. Sir George Schuster, Sir Bomanji Dalal, Messrs Raghavendra Rao and Shanker Rao were injured. Sir Bomanji Dalal seriously.

Three Government benches were entirely torn to pieces. Mr. S. N. Roy, deputy secretary, Indian Committee, who was sitting in the officers' gallery, was also hit and his hands bled profusely.

A red pamphlet headed 'Hindustan Socialist Republican Army notice', signed by 'Balraj, Commander in Chief', was also thrown along with the bombs.

Two men were arrested, Batukeswara Dutt from Bengal, domiciled in Cawnpore, and Bhagat Singh, from the Punjab. They were reported to have confessed their guilt to the police.

Ten minutes later the Assembly reassembled. The chamber was choked by the bomb smoke. Mr. Patel adjourned the House till Thursday next. (11th.)

The police immediately locked the entire Council house and prevented the movements of visitors.

Both the accused were examined separately by police officials. Both of them deferred making a statement till they were examined in court. The case was being investigated under sec. 307, I. P. C., for alleged attempted murder.

Batukeswara Dutt was escorted under a strong police guard to the New Delhi police station, while Bhagat Singh was taken to the central police station in Chandni Chawk, Old Delhi.

### President's Ruling on Safety Bill.

The Chamber was strongly guarded when the Assembly met on the 11th APRIL. Before giving his ruling on the Public Safety Bill, the President made a reference to Monday's bomb outrage and unreservedly condemned it and expressed sympathy with those who had received injuries.

The President, in giving his ruling, said that the Government's statement was a challenge to the Chair and undermined its authority. The Law Member, in quoting his authority, had left out the next sentence, that the matter was entirely within the discretion of the Chair whether to put it to the vote of the House or not. He was convinced that no debate was possible on the Bill during the pendency of the trial and any debate on it under the circumstances would be a fraud and a farce. The President claimed that the Speaker exercised direct influence over the extent and course of legislative action in the House. The powers, though not expressly given, were there by implication and analogy. In any case, the Chair had inherent power and exercised such power last year in the

case of the Reserve Bank Bill. Therefore, he ruled the Bill out. In his statement President Patel said :—

"As a rule I have refrained from offering advice to Government in any matter unless they themselves sought it. But in this particular case I did so in order to avoid a conflict between the powers of the Chair and the right of Government. It is a matter of regret to me that Government could not see their way to accept the advice offered, and a conflict has thus become unavoidable.

"Such a conflict is bound to arise under a constitution like ours, particularly where the Chair considers it its duty to interpret the rules and orders of the House with a view to prevent the powers belonging to this House passing into the hands of the administration.

"Speaker Onslow is reported frequently to have observed that it was a maxim he had often heard when he was a young man from old and experienced Members, that nothing tended to throw more power into the hands of the administration and those who acted with the majority of the House of Commons than neglect of, or departure from, these rules, that from the procedure, as instituted by our ancestors, operated as a check and control on the actions of the Ministers, and that they were in many instances a shelter and protection to minorities against the attempts of those in power.

"Situated as we are in this country, the wonder is that a conflict did not come earlier, thanks partly to the intervention of Lord Lin from time to time.

"Government claim that they have an undoubted right under the constitution to decide what legislation they shall ask the House to pass and when. That is no doubt true within prescribed limits, but it must not be forgotten that the Speaker exerts a direct influence upon the course and extent of legislative action.

"This is what Redlich at page 142, column 2, says. But the most important function discharged by him (the Speaker), that which gives him his chief political influence, is that of being the sole and final judge of whether any motion or amendment is in order or not. By virtue of the traditional and incomparable authority which is conceded him by all parties in the House, immense power is thus placed in his hands, and under certain circumstances he may exert a direct influence upon the extent of legislative action."

"It will thus be seen that the claim made by Government has its own limitations. Sir Darcy Lindsay, the leader of the European Group, and the Law member Sir B. L. Mitter, contend that it is the right of the House to decide whether it should proceed with the Safety Bill or not. Both dispute the right of the Chair to give any ruling on the question whether, assuming that a real debate is impossible, the motion is in order or not.

"The Law Member further contends that the Chair is bound to leave the decision on this point of order in the hands of the House, and quotes as his authority page 145, volume second, Redlich; but he does not complete the quotation and leaves out the following: But it is entirely in the Speaker's discretion whether, and when, to call for the decision of the House. If he deems it unnecessary to do so, his ruling is final.

"It is quite clear from this that the Speaker is under no obligation to leave the decision of a question like this in the hands of the House. In fact, it did at one time occur to me as a possible course to adopt, but when I heard the statement made on behalf of Government—a statement which, I must confess, is calculated to undermine the authority of the Chair and amounts to a direct challenge of its powers—and when I heard, the other day, the amazing remarks of the leader of the European Group that by the exercise of my undoubted right to give my ruling on a point of order, I would be assuming the position of a dictator, or usurper: I thought to myself that in yielding to such arguments I would be shirking my responsibility.

"But there is another and a more serious objection to the proposal. Assuming that I left the decision of the point of order to the House, and the House decided that it be proceeded with, the Chair would be bound, in that case, to put the question without any debate, if it was found that a debate was impossible.



This course would deprive the minority of their right of reasonable debate which it is my duty to protect.

"I understood the Leader of the House the other day to claim that Government were entitled to ask the Chair to put a motion to the vote of the House although there was no debate as none was possible. I was, however, much relieved when I heard the reply of the Law Member, on behalf of Government, to the question which I put to him during the course of his speech.

"I asked him whether Government claimed that they were entitled to ask the Chair to put a motion although there might be no debate on it because a debate was not possible. The reply of the Law Member was : I am not suggesting that for a moment, but my submission is this, that if it is capable of reasonable debate, then I presume it will be your duty to put the question before the House.

"I am in entire agreement with the view expressed by the Law Member. My difficulty is that I am not satisfied that, in the circumstances of the case, any real or reasonable debate is possible on this motion. On the contrary, the speeches that I heard the other day have confirmed me in the view I had expressed in my statement, that no real debate was possible without repeated reference to any discussion of a matter *sub judice* and that matters *sub judice* were the only vital matters relevant to this debate.

"Indeed, the Law Member admitted in his speech the other day that we might be handicapped at the present moment, for Standing Order 29 came in the way. He further said that he was not disputing the fact that there might be certain common factors between the Meerut case and the grounds upon which this Bill was framed.

"One has only to read the speeches of the Leader of the House on the Public Safety Bill, made from time to time, and compare them with the allegation made in the complaint against the 31 accused, to be convinced that the fundamental basis of both is identical. The logical result will be that no debate could take place on the motion in question and on the large number of amendments which have been tabled, and also on the motion that the Bill be passed. I would have to put all those questions without any debate and secure the passage of the Bill.

"Such a course is unthinkable and would be a gross abuse of the forms and procedure of the House. It has been suggested to me that I should allow the debate on this motion to proceed, and if it was found that a real debate was impossible, I should then consider whether I should not exercise my right of declining to put the question, instead of ruling the motion out of order at this stage.

"Although this suggestion has not been seriously pressed, either by the Government or any of the speakers on the point of order, I have carefully considered it, and am of opinion that those who still contend that a debate is possible, would be completely disillusioned as soon as the debate began. I have no doubt that I would have repeatedly to intervene and call speaker after speaker to order.

"I would be deceiving myself, and deceiving the House, if I left any impression on the mind of anyone that I had any doubt whatever that any debate on any vital matter in respect of the Bill was possible.

"I have, therefore, decided to reject the suggestion, the adoption of which would result in a pure waste of public time and would have all the appearance of a farce and a fraud. It has been contended that as the motion has already been made, the House is seized of the Bill and the Chair has no power to withhold it from its consideration. This is a mistaken view. The point that the motion is out of order can be taken at any time before it is voted upon : and the Chair is entitled to rule it out if it is of that opinion.

"The only question that now remains to be determined is whether the motion is in order, or not. It is my duty, as President of this House, to see that it transacts its business with due regard to the forms and procedure laid down in the Act, Rules and Standing Orders governing the same ; and where no Rules or Standing Orders exist, in accordance with the accepted principles, precedents

and conventions that should regulate the free discussion and fair decision of every question before the House.

"It is a duty which the President owes to the House and to every member thereof, and is one which he cannot share with, or delegate to Government or the Opposition, or submit to the verdict of a majority or minority in the House.

"Every matter requiring the decision of the Assembly, to quote the words of Standing Order 30, can only be brought forward by means of a question put by the President on a motion proposed by a member. When a motion is so proposed by the mover, it is the right of the House to discuss it, and no derogation from, or infringement of, this right of reasonable debate can be permitted by the Chair, on any ground, real or imaginary, of urgent executive policy or otherwise. Even where express provision is made by the Standing Orders, or Rules, for the abridgement of this right—for example, motions for closure—it is the duty of the President to see that they do not involve an abuse of the Rules, or Standing Orders, or any infringement of the right of reasonable debate.

"It follows therefore that the President cannot put a question for the decision of the House without reasonable debate, or without affording the members every opportunity for such a debate. It is obvious that to do so would be to deny to the House its fundamental right of free discussion, and a decision on the merits of the question before it and would constitute a negation of the very basis of all deliberative and legislative bodies. As I have already pointed out, not only no reasonable debate but hardly any debate is possible in respect of the motion now before the House.

"There are, as hon'ble members are aware, certain limitations of debate which are expressly laid down by Standing Order 29 in the interests of fair, reasonable debate within the House, as also in the larger interests of the public and State. The first of these is that a member, while speaking, shall not refer to any matter of fact whereon a judicial decision is pending.

"I have been assured by the Leader of the House that Government on their side, will see no reference is made to matters *sub judice* in the debate on the motion, and I have been invited to help them in seeing that no such reference is made by others in exercise of their right of debate. I cannot but consider such a proposal, coming from a party that has by its own action in launching the prosecution during pendency of the Bill made debate on it impossible, as unfair to those members who desire to oppose the motion and disprove the case made in support thereof by the Home Member, and unfair also to the House, which has to give its decision on it.

"The Law Member admits that the right of reasonable debate exists, but contends that in this case it has already been exercised twice and that therefore further exercise of this right is superfluous. This betrays a fundamental misconception of the procedure of the House and the rights of debate of members on motions.

"The House, and every one of its members, has the right on every occasion that a Bill is taken into consideration—whether on a motion to refer it to a Select Committee, or pass the Bill as amended after consideration and the passing of its clauses—to discuss the case for the enactment of the Bill as a whole, and give its decision thereon. I cannot, by reason of previous discussion having taken place, impose on the members the obligation to vote for the motion without the debate they are entitled to raise.

"It has been contended that the right to rule the motion out of order is not expressly conferred on the President by any of the Rules or Standing Orders of the Assembly. Indeed, the Law Member goes further and says that as the Assembly and its President are creatures of a Statute, the conventions and precedents of the House of Commons have no application, and that such power cannot be deduced by implication from the provisions of the Rules and Standing Orders. Such power, according to him, must be expressly given, but it is a matter of common knowledge that the conventions and precedents of the House of Commons are being quoted repeatedly in legislative bodies in India and acted upon.

"It was only last year that the Chair exercised its inherent power to disallow

the introduction of an important Bill on the ground that the course proposed abuse of the forms and procedure of the House and violated its proprieties.

"If the contention of the Hon'ble the Law Member is upheld and the Chair restricted to the powers expressly conferred on it by the Rules and Standing Orders of this House, the business of this House would become impossible.

"The Leader of the House, the Law Member and the leader of the European Group have, in support of their contention, relied upon the proceedings of the House of Commons relating to the following Acts :—

"(1) Act for the better protection of persons and property in Ireland, 1881.

"(2) Defence of the Realm Act, passed in the early years of the recent war.

"I have carefully studied the debates on the above measures, but am unable to find either that the present point of order was raised and decided, or that there was in fact a common basis for the prosecutions as well as the Bills before the House, as in the case here. I am therefore unable to derive any guidance from these instances for deciding the point before me

"For these reasons I am of opinion, although the power to rule this motion out of order is not expressed in so many words in any Rules and Standing Orders, it does arise by necessary implication and analogy, and I am therefore satisfied that in any case the Chair has the inherent power to rule out a motion on the ground that it involves an abuse of the forms of procedure of this House, as this motion, I hold, does. *I therefore rule it out of order.*"

There was no demonstration on either side. The President immediately thereafter read to the House a communication from the Governor-General, summoning members to hear his address tomorrow. Some Swarajists first did not rise in their seats but the President asked them as a matter of courtesy to rise. After the communication was read, the President asked whether the Home Member had any statement to make. The Home Member said, 'Not any in view of the Governor-General's communication' After this the house adjourned.

#### H. E. The Viceroy's Address.

On the 12th APRIL, His Excellency the Viceroy delivered a most important address to a joint sitting of both Houses of the Indian Legislature. The Viceroy referred to the bomb outrage and to the President's ruling, and announced his decision to issue an Ordinance embodying the Public Safety Bill and to secure the amendment of the rules to prevent the President of either House from interrupting normal legislative procedure. His Excellency said :

"I have exercised my privilege of requiring the attendance of the members of both Chambers for two purposes, the first is that I might have an opportunity of associating myself, by what is at once the most personal and most formal means open to me, with what, I know, will have been the immediate and universal feelings of resentment at the outrage which, four days ago, was perpetrated in this building.

"It is not necessary for me to dwell upon the actual events which took place before the eyes of many here. We must thank the merciful protection of overruling Providence that the designs of wicked men should have been, as it seems, so unaccountably and miraculously frustrated; while to Sir Bomanji Dalal we tender our sincere sympathy mingled, as it may happily be, with gratitude that he and the others were spared even graver injury. With the acts committed the law can be left to deal; but there are certain general reflections that may perhaps rightly find expression at such a time as this.

"Throughout history men have been tempted to seek the promotion of political purposes by resort to crime, though they may result in the destruction of a few individual lives. Such efforts are doomed to failure because there is a fundamental and instinctive reason which leads ordinary men everywhere to revolt against such attempted terrorism; for they realise that society itself depends upon the quality of protection that it can guarantee to the humblest of its constituent members and that if this guarantee were to be lightly violated and trodden underfoot, society would rapidly revert to the order of the jungle where strength and stealth are the only abiding sources of security.

"And if this be true of the attempts to challenge the sanctity of individual life, of how much more grave import, such as that which is in all our minds, directed against a body which, with its sister Chamber, is not only a collection of individuals, but stands in a collective capacity for something more significant and comprehensive than even the sum of all the interests represented in it ?

"Here we come face to face with a naked conflict of two contradictory philosophies. This Assembly exists as the outward symbol of that supremacy of reason, argument and persuasion which man through the ages has been, and is still, concerned to establish over the elemental passions of his kind. The bomb stands as a cruel and hideous expression of the gospel of physical violence which, repudiating reason, would recoil from no atrocity in the achievement of its sinister designs. It is, indeed, partly because, through the corporate person of this Assembly, a direct threat has thus been levelled at the whole constitutional life of India and everything which that life includes, that I have thought fit to summon the two Houses together here to-day.

"On more than one occasion it has been the duty of Government to call public attention to the subversive and revolutionary schemes of which India is, in certain quarters, the professed objective. I have never concealed my view of the gravity of the danger which, if our vigilance were for a moment relaxed, would menace Indian society, and I would urge the hon'ble members to ponder long and seriously upon what lies behind the recent incident.

"Deeds of violence, such as that of which this Chamber has recently been the scene, can never be completely disentangled from the setting in which the ideas behind them have been nurtured. In such matters, some men have thought and spoken before other men resorted to extremity of action ; and dangerous words written, or spoken, by one man are only too frequently the poisonous seed falling upon the soil of another man's perverted imagination.

"From such roots, in due course, springs the impulse which drives human beings to ruthless and shameless crime and invests it with a false halo of self-sacrifice ; And so, to go no further back than the last few months, India is disgraced by the murder in Lahore of that young, and most promising, police officer Mr. Saunders, and the gallant Head Constable, Chaman Singh ; still more recently of a highly respected Indian Police Officer in Barisal ; and lastly by the outrage here which many hon'ble members were compelled to witness.

"I do not doubt that all right thinking persons, with such an object lesson fresh in their memory, will be of one mind and speak with one voice in reprobation of such conduct ; but if there be reprobation let it be unqualified. To condemn a crime in one breadth and in the next to seek excuse for it by laying the blame on those against whom it is directed, is no true condemnation.

"Speaking here as the head of the Government of India, it behoves me to make it abundantly plain that my Government will not be deterred, by any such futile and insensate acts, from the discharge of its evident duty—to take whatever measures may seem to it right and necessary for the protection of law-abiding citizens. In one respect, and it is vital, the task of Government and of the legislature is same ; that task is to secure conditions under which alone things that make for India's welfare and happiness may grow. Apart from all other considerations, such an event as that of last Monday cannot possibly accelerate, any more than it should be allowed to retard, the development of Indian institutions and the orderly pursuit of Indian aspirations which the true friends of India desire.

"It is not, by resort to force, or by belief in force, that the future can be assured and those who mispire and take part in such outrages are, indeed, the greatest enemies of India's progress. For let no man stand aside and delude himself into the belief that the State's security is not the affair of individual citizen. Once the gospel of force is admitted as a suitable means for the attempted coercion of Government there is no conflict of interest religious, racial or economic, which it may not be sought to solve by appeal to the same tribunal.

"The second reason, for which I have required your attendance this morning, was to acquaint the hon'ble members with decisions reached by my Government in view of the situation created by the ruling given yesterday by the President of the

Legislative Assembly. The result of that ruling is twofold. In the first place, it propounds an interpretation of the rules which, I am satisfied, is not in conformity with their intention. In the second place, the practical effect of the President's ruling, as it stands, is to debar the Government from asking the Legislature to give it additional powers of which it conceives itself to stand in need, and to make it impossible for either Chamber of the Legislature to record any decision upon Government's proposals, or to form its own judgment upon the question whether or not it could usefully conduct its debates on these proposals, within the rules of the order.

"I desire to state clearly the position of myself and my Government on both these issues. Entertaining, as it does, no doubt as to the intention of the rules in question, my Government is none the less constrained to recognise that the only appropriate person to interpret, within either House of the Legislature, the rules under which it works, is the President of the House himself. If, therefore, the interpretation of the rules by the President of either House gives rise, as now, to a situation in which Government, for grave reasons, is unable to acquiesce, the only course open is to secure by due authority, such amendment of the rules as may be necessary to prevent any recurrence, in future, of a similar interruption in normal legislative procedure. That course we propose to follow without delay, and in order that there may be no misunderstanding, I will add that the broad purpose of the amendment in the rules which we propose to seek will be to secure that the progress of legislation, which it is within the power of the Indian Legislature to pass, shall not be prevented by the President of either House, except in virtue of express powers to do so conferred upon him by the rules and Standing Orders.

"Meanwhile and pending the possibility of further action in the Legislature the primary responsibility for protecting the foundations of an ordered State rests and must rest, upon the Executive Government of which I am the head. Neither I nor my Government can neglect that responsibility even though the technical difficulty created by the ruling, to which I have already referred, has made it impossible to share it with the Legislature. We cannot ignore the fact that the men behind the revolutionary movement against which the Bill is directed will not stay their hands because the enactment by the Indian Legislature of preventive legislation postponed. With the danger in view and speaking with a full knowledge of much that can necessarily not now be publicly disclosed, I conceive that it has become imperative for government to obtain the powers proposed in the Public Safety Bill, without further delay.

"I have accordingly decided, after a careful review of all the facts, to avail myself of the authority conferred upon the Governor-General under Section 72 of the Government of India Act, in order to issue an Ordinance giving to the Governor-General-in-Council the powers in question. The purpose of those powers as the legislature is aware is preventive. They will affect none who are content to employ their liberty in this country for legitimate ends by legitimate means and the conditions under which they will be exercised have been the subject of very full and careful consideration.

"I am fully conscious of the serious character of the personal decision which I thought right to take, but though the responsibility, in this particular matter, rests upon the Governor-General alone, I have no fear that my action will not command the approval of that vast majority of India's people who have faith in India's future, and whose first desire is to see their country prosperous, contented and secure".

*The Assembly then adjourned 'Sine die'.*

# The Bombay Legislative Council.

The first 1929 session of the Bombay Legislative Council began on the 18TH FEBRUARY 1929 with the formal opening ceremony of the new Council House and address from His Excellency the Governor. At the outset His Excellency referred to the recent riots in the city and regretted that it should have occurred at the commencement of his term of office, assuring the house however that he himself and his Government would do all that lay in their power to remove the causes of these unfortunate events and to take such precautions as might be possible to prevent the recurrence of the incident.

In this connection he also wanted the Council to consider the means of providing funds for the increase of police force.

Referring to the financial position of the province he regretted that the unsatisfactory position of the recent years does not show any improvement this year. Nation-building departments on the other hand are making ever-increasing demands for more funds, and with a revenue showing tendency to decrease the only source for the Government is increasing of taxation.

The Hon Mr Ali Muhammad Khan Dehlavi, President of the Council, presided. After swearing in of the new members of whom there were nine, the majority being officials, and after interpellations the Hon Mr. G. B. Pradhan, Finance Member introduced the budget estimates for 1929-30. The following is a summary :—

## Budget for 1929-30.

The total estimate of revenue for 1929-30 is 1,524 lakhs, total expenditure estimated is 1,523 lakhs leaving a surplus of one lakh. The year 1928-29 opened with an actual balance of 318 lakhs, of which 202 lakhs was in famine fund and the estimated closing balance was 266 lakhs, an improvement of 15 lakhs which brought up the actual closing balance to 318 lakhs due to loans voted for famine relief in Sind and Gujarat not being fully distributed during the year.

In estimating for the next year's budget, it is assumed that Stamps and Court Fees Act would be renewed. It is also estimated that under the capital section of accounts, there will be a small deficit owing to the withdrawal from famine relief fund. The total borrowing for works next year will amount to 433 lakhs of which 355 are for Sukkur Barrage, 23 for other irrigation works and 39 for other purposes. The Development Department will borrow 16 lakhs.

Mr. Pradhan stated that the Back Bay Reclamation up to the end of March 1928 cost seven crores and thirty-six lakhs of which only 22 lakhs had been so far realised from the military authorities from the sale of recreation grounds. The Government now hope that block number eight of the Back Bay will be fit for handing over to the Military Department by May next and Rs. 205 lakhs would be realised. The loss in the Back Bay scheme is estimated at more than three crores. Mr. Pradhan denounced the Meston settlement and was anxious to obtain a share of income-tax and super-tax collections in the Bombay Presidency. The industrial housing schemes also show heavy losses. The Finance Member said that the unfortunate losses had considerably curtailed the activities of other departments but the Government have to face facts and make provision for amortization of different debts. The construction of the Lloyd Barrage in Sind was progressing satisfactorily. Outstanding debts incurred by the Presidency amounts to nearly 43 crores.

On the 19TH FEBRUARY Mr. Shroff moved a condolence resolution sympathising with the family of Lala Lajpat Rai. The motion was unanimously passed after the members representing different parties and Mr. J. L. Rieu, on behalf of Government, had associated themselves with the resolution.

### General discussion of Budget.

The Council then proceeded to the general discussion of the Budget, in the course of which it was pointed out, that, though it was showed a surplus budget, actually it was only a deficit budget. A complaint was made that while the nation-building departments were being starved, unnecessary extra expenditure was being incurred on the Secretariat establishment.

Mr. Lalji Naranji, who characterised the Budget as a disappointing document, said that the financial outlook of the presidency was very gloomy and called for a complete overhauling of policy and methods. His analysis of the root cause of the present chaos showed that Government's policy of engaging in commercial enterprises since the inception of the Reforms was mainly responsible for these commercial undertakings which had resulted in complete collapse of the financial credit of Bombay.

On the 20TH, FEBRUARY the Council passed unanimously a resolution recording the appreciation of the House of the meritorious services rendered by Mr. V. S. Srinivasa Sastri as India's Ambassador to South Africa in promoting good feeling and helping to solve the Indian problem on a satisfactory basis, and making the culture and civilisation of India better understood and appreciated in South Africa.

The Swaraj Party to day did not move the adjournment of the House on the question of the Bombay riot.

General debate on the budget was next resumed. Mr. Noor Mahomed (Sind) bitterly complained that Sind was receiving step-motherly treatment. The essential services and projects were being starved. Other members complained that the financial stringency of the Government was getting worse every year. The debate continued until the Council adjourned.

On the 21ST, FEBRUARY the President announced that Mr. K. M. Munshi's motion of adjournment of the House to discuss riots and Government handling of the same was in order and fixed 4 p.m. for it. Mr. Hotson, Home Member pleaded for postponement till next week alleging that he had no time to collect necessary papers, being almost hourly engaged in dealing with issues arising from those troubles. Mr. Munshi agreed to raise the question again next week by a fresh notice of the adjournment motion.

### Enhanced Stamp Fees Perpetuated.

On the 22ND, FEBRUARY the Hon'ble Mr. Pradhan introduced in the Council the bill to amend the Indian Stamp (Bombay Amendment) Act to seek to perpetuate the enhanced scale of stamp fees for revenue purposes of the Government. It was first put into operation for four years in 1922. Its life was extended for two years as financial position did not improve. Now the Government proposes to make it permanent, bringing the Act in line with similar Acts in Madras, Bengal and the Punjab.

The Indian Merchants' representative, Mr. Lalji Naranji, vehemently opposed the Bill as the Government had not put forward any valid ground. What is the use of sanctioning an increase of revenue, he asked, unless the House was convinced that the money sanctioned were not wasted by the Government?

Mr. K. F. Nariman opposing the Bill warned the Government that they would be disillusioned if they thought that by adjusting the temperature of the House by means of newly installed weather-cooling apparatus in the new hall they would be able to cajole the members into acquiescence in all Govt. measures and policies. He suggested retrenchment in Public Services as the only means of improving to some extent the financial condition of the Bombay Presidency.

After further discussion the Council passed the first reading of the Bill to amend the Indian Stamps (Bombay Amendment) Act by a majority of 48 votes against forty-one. The Bill to amend the Court Fees Act was next introduced when the House adjourned.

## Enhancement of Court Fees.

On the 23RD. FEBRUARY the Council proceeded with the discussion of the bill to continue enhancement of court fees originally meant for three years by an Act of 1926. Several members opposed the bill on the ground that the province was most heavily taxed already. Mr. Hotson, Home Member, dealt with non-official criticism and said the proposal for establishment of a civil court in Bombay was acceptable to Government, but for financial stringency.

Mr. Nariman opposing the bill referred to delays and the heavy cost of litigation in the High Court and deplored that judges work practically for six months in a year and even then waste time in administrative work to the detriment and delay of litigants.

The Finance Member said that the bill only dealt with probate duties and fulfilled all canons of taxation and consented to have the bill extended only for one year. Though the first reading of the bill was carried Mr. Kale moved an amendment to make certain alterations and, Government objecting to the amendment, the president reserved ruling on the point till Monday. The Home Member then moved the second reading of the bill to establish a Small Causes Court at Karachi. The Council then adjourned to Monday.

On the 25TH. FEBRUARY the President gave a ruling regarding the amendment moved by Rao Bahadur Kale that the Court Fees Bill be referred to a Select Committee. The President held the amendment to be out of order as it was beyond the scope of the Bill to make changes as proposed. The Bill was then passed.

## Karachi Small Cause Court Bill.

The Council then resumed discussion for the second reading of the Bill for providing a court of small causes at Karachi. The second reading moved by the Home Member was then proceeded with. Mr. Noor Mahomed, a member from Hyderabad (Sind), stoutly opposed exclusion of Sub-Judges from being appointed Chief Judges of the Small Causes Court at Karachi. Another amendment providing for recruitment of the Chief Judge from the Pleaders, Advocates, and Attorneys of sufficient standing, besides Sub-judges being accepted by Government, the second reading of the Bill was passed and third reading was postponed.

Minister Mr. Jadav then moved his Bill to amend the Bombay Abkari Act for exercising control over Mowra Flowers for carrying out prohibition policy. The House then adjourned.

## Debate on the Bombay Riot.

On the 26TH. FEBRUARY Mr. Munshi representing the Bombay University moved for adjournment to call attention to the recent disturbances in Bombay.

The President, calling upon Mr. Munshi to move his adjournment motion, pointed out that the citizens of Bombay deplored the unfortunate events in the city. The citizens had maintained a spirit which he hoped would be maintained by the members of the Council during the debate.

Mr. Munshi, in moving for adjournment, said that Hindu and Mahomedan members had come to an agreement, and had put forward certain proposals for a committee of three non-official members to be presided over by the Chief Justice of the Bombay High Court to thoroughly investigate the recent disturbance. Mr. Munshi hoped the proposal would be accepted by the House and the Government.

Replying to the debate, Mr. Hotson, Home Member, reviewed at great length the various phases of the disturbances, and said the total deaths numbered 145, including 89 Hindus, 25 Pathans, 29 other Mahomedans, one European and one Parsi. The injured numbered 643. The military fired 115 rounds and the police 53 rounds. Seven Mahomedans and four Hindus were killed as a result of the firing.

After emphasising that the riots were never directed against the Government, Mr. Hotson referred to the question whether the Government's action was



sufficiently prompt and whether the use of greater force at an early stage would have ended the riots more quickly; and he announced that the Government proposed to compile a complete report dealing with every aspect of the disturbances from which the public would be able to judge the dispositions made by the Government, the military and the police at various stages. He said the Government and their officers awaited the verdict confidently. He did not believe that the Government could or should have acted otherwise than as they did. Mr. Hotson pointed out that an immediate inquiry was impossible, as many matters would be coming up before the courts. He also warned the House of the danger that an inquiry would again arouse feelings of anger and hostility which now had happily quieted down.

The Home Member added that, if after the report was published, there was still a feeling among responsible persons that an enquiry was necessary, the Government would consider the matter again. The Home Member, concluding, paid a warm tribute to the conduct of the police and the military in the trying times. The adjournment motion was carried, 60 voting for and 31 against.

#### Government's Revenue Policy Criticised.

On the 27TH. FEBRUARY the Council assembled to vote on Budget grants. The Government's recent communique announcing suspension of revenue collections in districts affected by the recent frost was disputed by Mr. Amrit Lal Seh producing notices of "mamlatdars" orders to the contrary. Mr. Smart, Commissioner, Northern Division, assured the house that fresh orders directing suspension of collection would be issued and the Government decided to give takavi and other reliefs to the agriculturists in the areas affected by the frost. After further discussion on a cut of five lakhs in land revenue moved yesterday the house adjourned.

On the 28TH. FEBRUARY the adjournment motion which was to be moved to discuss the distress of the agriculturists owing to the recent frost in Gujerat was dropped as the subject was discussed at length during the debate of five lakhs proposed by Mr. Bhimbhai Naik. Various speakers to-day strongly criticised the Government's revenue policy. Mr. Kale suggested that Government should consult with the agriculturists' representative and adopt the basis of assessment in the way suiting to the paying capacity of the poor peasants even at the risk of sacrificing revenues as done by the Punjab Government.

Mr. K. F. Nariman pointed out that high authorities like Mr. Gokhale and Mr. George Wingate attributed poverty of the peasants to Government's revenue policy and urged removal of the Land Revenue Act from the Statute Book as it was an oppressive measure denying the peasants the right of appeal to the Court against the arbitrary and unjust settlement by the Revenue Officers. The Speaker added that as a result of this policy the last year's Bardoli campaign was started and it ended by finally establishing this right to agriculturists.

#### Government's Excise Policy Condemned.

The proposed cut of five lakhs was lost and the Council passed the total demand under revenue. The next grant under Excise was discussed when Mr. Nariman proposed a token cut of rupee one as a mark of censure against the excise policy of Government in general and favouritism in the matter of appointment in the Department in particular. The cut motion was lost. Another cut of Rs. 100 was moved by Mr. J. G. and discussion on this cut was in progress when the House rose for the day.

On the 1ST. MARCH during the debate on excise grant, Mr. Ginwalla said that in a country like India where drinking was discouraged among many communities on religious grounds drink could easily be put down provided Government were really serious.

On the 2ND. MARCH, during the debate on the motion for a cut of Rs. 100 on the excise demand in which the Government sustained defeat, Mr. Nariman made a trenchant attack on the anti-prohibition measure of the Government and

proved from the incidents connected with the picketing of liquor shops in Surat that Government were not earnest about prohibition. Mr. Nariman suggested the advisability of the Excise Minister attending the lectures of Pussy-foot Johnson, the world-renowned prohibitionist.

The Government sustained another defeat in course of discussion on the excise policy which was going on for the last two days on another cut of Rs. 100 from the excise demand. The Government member wanted to abandon the programme of bringing about a total prohibition in course of twenty years.

It might be remembered that a programme for total prohibition by slow degrees was passed by the Council some years back, but it was being followed half-heartedly by the Government and they now instead of reducing the number of liquor shops proposed an increase of same on the plea of increase of illicit distillation and consequent loss of revenue. These actions of the Government were strongly criticised by several members culminating in to-day's defeat in carrying out the censure motion by an overwhelming majority.

#### Government's Forest Policy Criticised.

On the 4TH. MARCH the Council discussed the forest policy of the Government on a token cut proposed by a non-official member. Non-official members favouring the motion pleaded for greater economy and for the abolition of grazing fees and wanted that Forest menials should be supplied with khaddar uniforms.

The Commissioner of the Southern Division, replying to the debate, denied the charge of extravagance and said that Forest work needed closely woven material. After four hours' discussion, the cut was withdrawn by the mover on being assured by Mr. Jaghavi, the Minister in charge, that the principal complaint would be looked into.

The Council then continued discussion on the budget. One cut proposed in the scheduled taxes was negatived, and another cut in irrigation grant was under discussion when the Council rose for the day.

#### Grant for Water Diviner.

On the 6TH. MARCH discussion on Mr. J.C. Swamnarayan's motion for the reduction of the sum for the establishment charges of the Water Diviner which was moved the day before was continued. It was stated that the office was a sinecure appointment created to patronise an individual. The Revenue Member maintained that the officer was doing very valuable work. The motion was lost by 34 votes against 30.

#### Government's Irrigation Policy Criticised.

Criticism was next directed against the general irrigation policy of the Government. It was stated that irrigation projects were undertaken with an eye to business, and the Bombay Presidency, excluding Sind, was the most neglected province in the matter of irrigation facilities.

The General Member assured the House that the works had been organised with the sole object of improving the economic condition of the people. The Government had spent Rs. 11 crores on these works so far and the return was not more than 2 per cent.

The total demand of 12 crores under "irrigation" was granted.

#### Bombay Riots and After.

On the 7TH. MARCH Mr. Hotson, Home Member, made a statement regarding the committee of enquiry into the recent Bombay riots which was the subject of an adjournment motion in the House.

Mr. Hotson stated that the Government of Bombay were willing to accede to the desire expressed by the House that a committee of enquiry should be appointed as soon as its composition was settled and the consent of those invited to join it obtained. He informed the House that the Chief Justice of the Bombay High Court, who was asked to preside over the Committee, had refused for reasons the force of which the Government fully appreciated. The Government hoped to secure the services of another chairman whose impartiality and ability would similarly command general confidence. As the names of Sir Ibrahim Rahimtullah and Sir Chunilal Mehta were acceptable to the House,

they were being invited to serve on the committee. He hoped that they would find themselves able to spare for this important public duty.

The Committee would assemble early to draw up the programme and decide when they should take evidence and whether meetings should be held in public or in camera. The terms of reference would be as follows: To enquire into the recent disturbances in Bombay, their causes and origins, the course which they took and the measures adopted by the Government to suppress them, and to make recommendations. Mr. Hotson said that in the meanwhile, the Government would proceed with the compilation of the report which he had mentioned in the Council last week. It would undoubtedly assist the committee in its investigation.

#### Grant for Oriental Translator's Office.

Mr. J. C. Swaminarayan's motion for a cut Rs. 8,000 in the demand for Rs. 56,000 for the pay of 24 translators in the Oriental Translator's office which was moved the previous day was discussed at great length. A section of non-official members showed strong resentment at one of the officers of the Oriental Translator's office writing articles in "The Times of India" under the heading "Through Indian Eyes", and it was suggested by them that some of those articles were calculated to foment communal feelings.

Mr. Hotson, the Home Member, denied, in the course of a long speech, that the articles were offensive, and said that the Government did not propose to take any action against the officer concerned under the Government Servants' Conduct Rules. The motion was lost, 46 voting against and 35 for.

#### Other demands for Grants.

On the 8TH. MARCH Mr. Shivdasani moved a cut equivalent to the pay of four Commissioners of the Presidency, which posts he wanted to be abolished.

Mr. Nariman, supporting the cut, made allegations against Mr. Smart, Commissioner, Northern Division, for the part alleged to have been taken by him in forming a loyalist Party in Panchmahals to outwit the Nationalist Party, quoting alleged specific instances.

Mr. Smart challenged the authenticity of the allegations. The Home Member stated that if Mr. Nariman repeated the allegations outside the House he would be prosecuted. Mr. Nariman accepted the challenge. This cut was finally lost.

On the 11TH. MARCH there were several motions for reducing the Ministers' salaries, including one by Mr. Nariman for reducing the demand by one rupee, but none were moved. Mr. Nariman being absent the demands under the head "Administration of Justice, Jails, Police and Courts" were agreed to without discussion. The cut motions were not moved.

#### Debate on Educational Policy.

The Government sustained their third defeat when they opposed the motion for a token "cut" protesting against the proposed increase in school and college fees in the Presidency.

Another motion for a token cut in the grant under "Education" to urge the removal of Principal Findlay Shirras of the Gujarat College was eventually withdrawn, after the Minister of Education had assured the House that the relations between the Principal and the students were now very cordial.

Mr. F. J. Ginwala, moving a third token cut, raised the question of the general educational policy of the Bombay Government, and strongly advocated the establishment of a Technological Institute at Bombay to impart technical and vocational education, and thus solve the problem of unemployment.

The Education Minister, replying to the debate, said that Government were not able to do more than they were now doing because of financial stringency.

The motion was eventually lost without a division.

On the 12TH. MARCH Rao Bahadur Kale of Satara moved that the grant under "Education" be reduced by one rupee, and strongly criticised the

primary education policy of the Government. Member after member expressed dissatisfaction with the explanation given by the Minister of Education.

The Finance Secretary explained that the Government were unable to carry out their obligation regarding primary education for want of funds. The only way out of the difficulty was new taxation, and the Government were considering new sources, but were handicapped by various factors, particularly the opposition of the House to additional taxation. Borrowing money for primary education, was a financially unsound proposal. He repudiated the charge that the Government were deliberately avoiding giving effect to their declared policy. The Government, in fact, were doing everything they could in the interests of primary education.

The Minister for Education, explaining said that he was appointing a Committee to go into the question of primary education. The motion for a cut was lost.

The Revenue Member, Mr. Rieu, demanded Rs 65,000 for the Karachi extension scheme, explaining the urgent need for the expansion of Karachi city for residential and industrial purposes. The House was doubtful regarding the success of the venture, and warned the Government not to undertake it without careful investigation. Eventually, the Revenue Member postponed the scheme, till the next session amidst applause.

#### Demand for Bombay Development.

Mr. Joshi, representing Labour, moved a reduction of Rs. 100 in the Bombay Development demand for Rs. 25,31,000. Mr. Nariman complained about the Enquiry Committee. Witnesses in Government service, he said, were protected, but those who were likely to give information against the department were no longer in Government employment, and the work of the committee was really hampered by such witnesses not coming forward to give evidence, in the absence of protection.

Mr. Hossein Bhoy Lalji also expressed dissatisfaction as a member of the committee at the treatment meted out to the committee by the Government. He said the committee was a farce, and he had declined to serve on it.

The General Member said that the Government had done their best to meet the wishes of the committee. It was not correct to say that the committee was treated badly.

The motion was lost without a division. The remaining demands for grants were guillotined. The House then adjourned till Thursday.

#### Abkari Act Amending Bill.

On the 14TH. MARCH the Council passed the first reading of the bill to further amend the Bombay Abkari Act, 1878, the object being to control the possession and transport of Mhowra flowers in order to check illicit distillation and to help the Government in carrying out its avowed policy of total prohibition.

Mr. Jadhav, Minister for Excise, stated that the Bill was not against the poor people who consumed Mhowra as food in small quantities, but was against the trader in Mhowra. The Bill was referred to a Select Committee. The Council then adjourned.

#### Maternity Benefits Bill.

On the 15TH. MARCH Mr. A. Savale moved the second reading of the Bill to regulate employment of women and provide for maternity benefits. The Bill which had been referred to a select committee was altered a great deal. The select committee made the Act applicable to the principal industrial towns only in the first instance. A period of compulsory rest for four weeks following the confinement was considered sufficient rest and it had been made illegal for a woman mill-worker to work in any factory during this period of compulsory rest. The select committee do not consider it necessary to establish a maternity benefit fund. It should be paid directly by the employer at the fixed rate of eight annas per day for the actual period of absence not exceeding three weeks before the confinement and for four weeks immediately after the confinement. In order to entitle a woman to maternity benefit she should have worked into factory of the employer for not less than six months immediately preceding the date on which she gives notice. The select committee also recommended that a pregnant woman can absent

herself after notifying about the approaching confinement. Penalties are also proposed against infringement by a woman herself of the provision of the Bill which intended solely for her benefit.

The discussion on the Maternity Benefit Bill was resumed after lunch. Mr. J. B. Petit, Millowners' representative, Mr. Lalji Naranji, Merchants' Chamber and Major Willis Jones, nominated official opposed it on the ground that it was unfair and uncalled for as well as premature measure. They hold that the measures sought to lay the whole burden on the factory-employers and absolutely exempted the State, local bodies and other concerns.

The General Member, Sir Ghulam Hussain Hidayatulla said he was very much surprised at the exposition. The Bill, he said, was in the interests of female labour. As regards sharing of financial burden the Government never promised contribution to maternity benefits.

After further discussion the motion for second reading was passed. The Bill was then read for a third time and passed. The House then adjourned.

#### No Extension of Life of Present Council.

On the 16TH. MARCH Sardar Majumdar moved extension of the life of the present Council in view of the next General Election which may be held under the new constitution. The mover hoped that the labours of the Simon Commission would be expedited so that the new constitution might come into force in 1931.

Mr. Pradhan, opposing, said that it seemed to him extremely derogatory to their own interests that they should make such a proposal.

Mr. Munshi, opposing on behalf of the Coalition Nationalist Party, characterised the motion as extremely childish. Moreover, the resolution was based on the theme that new constitution would be framed by the Simon Commission. The general opinion in the country was that the Simon Commission was not likely to be the final word in the future constitution. Attempts were being made by leaders of parties in the country to bridge the very unfortunate gulf between them and Government on the question of appointment of the Simon Commission. It was, therefore, clear that the new constitution was not based on the report of the Commission.

The motion was put to the vote and lost by 12 against 26, the Government members remained neutral.

On the basis of old agreements made by the East India Company and later by the British Government, Mr. Deshpande moved a bill to amend the Bombay Local Boards Act 1923 so as to grant exemption to Zamindars from local cess. The Thakore of Kewada supporting the bill urged Government to fulfil their legal obligations. Mr. Jairamlas Desai protested against Government infringing on many of the rights of Zamindars secured by Sanads.

Owing to the strong opposition of the majority the mover withdrew the bill. The House then passed a bill restricting the rent of certain class of house in Karachi of the rent of rupees 34 and below per month. The New Rent Act as passed remains in force till 1931.

The Council then adjourned "sine die."

# The Madras Legislative Council.

The winter Session of the Madras Legislative Council commenced its sittings at Madras on the 28TH JANUARY 1929 with the Hon'ble Mr. Narasimharaju presiding. During question time interpellations were put regarding the expenditure of the Simon Committee of the Council. Questions over, the Hon'ble Sir Norman Macjoribanks moved a resolution recording sorrow at the demise of the Rajah of Panagal. Sir A. P. Patro, Dr. Subbarayan, Messrs. Ulayar, Muniswamy and Muhammad Mndoo paid touching tributes to the late Rajah. The resolution was passed members standing.

Messrs. C. E. Wood, Alladi Krishna Iyer, the newly-appointed Advocate General, the Raja of Venkatagiri, R. J. C. Robertson and F. E. James were sworn in and took their seats. Before proceeding with regular business the President referred to the illness of the King and expressed thankfulness at the prospects of early convalescence and intimated that he would send message in the name of the House that they prayed for complete recovery at an early date.

## The Andhra University Bill.

Discussion was then resumed on the Bill to amend the Andhra University Act. Dr. Subbarayan moved to substitute "Vizagapatam" for "Anantapur." The amendment to substitute "Rajmundry" for "Vizagapatam" was defeated. The House then adjourned.

## Adjournment Motions.

The question of construction of a tuberculosis hospital in Spur Tank in spite of protests from the Corporation and the public was the first motion of adjournment in the Council on the 29TH JANUARY. The President ruled that there was no point in the motion and ruled the motion out of order. Mr. Adinarayanan Chetty moved another adjournment motion drawing the attention of the Government to the recent conduct of the police in persecuting Congressmen in Vellore Taluk, North Arcot District. The Law Member objected leave for the motion on the ground that if there was any prosecution pending against Congressmen no point could be made out. But the mover replying that there were persecution still persistently carried on there he pressed his motion. There was considerable quibbling in the terms of prosecution and prosecution after which the President ruled that the motion was in order and fixed 2-30 p.m. for discussion of the motion.

The Council then resumed discussion on the amendment to the Andhra University Act. On the previous day Dr. Subbarayan had moved an amendment that Vizagapatam should be the headquarters of the University. Dr. Subbarayan's amendment was carried by 68 against 28. At this Dewan Bahadur Kesava Pillai refused to move that his bill be passed into law with the result that the vote in favour of Vizagapatam became mere waste.

Mr. Naganna Gowd then moved another amending bill for exclusion of Bellary from the Andhra University area, as in case Vizagapatam was going to be the headquarter it would be of advantage to Bellary people to remain in the Madras University.

Mr. Muniswami Naidu moved an amendment that Bellary, Kurnool, Cuddapah and Anantapur should be excluded. It was carried. The Bill as amended was discussed. While under discussion the Council adjourned till next day.

At 2-30 p.m. Mr. Adinarayanan Chetty (Swarajist) moved his adjournment motion drawing the attention of Government to the recent persecution of Congressmen by the police in Vellore Taluka, North Arcot district. In moving the adjournment motion Mr. Chetty narrated the ways in which the police were conducting themselves. They went out of their way to harass Congressmen and dictate it to magistracy. He said the police attended public meetings and called out Congressmen to address on khadi or untouchability but not on Swaraj. He considered that it was done in view of the proximity of the arrival of the Commission.

The Hon. Mr. Mohamad Usman said that Government had not issued any order to the police to go out of their way to discharge their duty. In the absence of any specific allegation the Home Member said he failed to see any substantiation in the arguments of the mover. Mr. K. V. R. Swamy Naidu, Swarajist, said that the Home Member was only putting off issues and nothing would be done even in specific cases before the arrival of

the Simon Commission. Mr. Arupudaswamy Udayar deprecated the absence of facts and figure and said that allegations were based on imaginary issues. Mr. P. Anjaneyulu said that subordinate police officers were irresponsible in their conduct of their duties.

While it was under discussion, closure was applied and this was carried. The adjournment motion was then put to the vote and lost by 31 against 59. The members in the official benches, ministerialists, nominated, and the Justices voted against and only the Congress block voted in its favour. The House adjourned.

On the 30TH JANUARY the Revenue Member's motion to appoint a Committee consisting of seven members to enquire into the economic conditions of Krishna-Godavari East and Godavari West districts as per Council's resolution passed last November, was passed.

After considerable discussion the motion for supplementary grant of Rs. 6000 towards the cost of investigation of maternal diseases was made. Two more grants were then granted. Sir A. P. Patro opposing the Madras Civil Courts Act Amending Bill, the Law Member withdrew his motion. The Chief Minister then introduced the Madras University Act Amending Bill which contained numerous verbal changes. Consideration of the Bill was not over when the house adjourned.

On the 31ST JANUARY the House agreed on the third reading of the Education Minister's Bill to amend the Madras University Act abolishing the Council of affiliated colleges and introducing certain changes in the composition of university machinery.

#### Madras Services Commission Bill.

Sir Norman Marjoribanks then introduced the Madras Services Commission Bill and moved its reference to a Select Committee. He made a short speech saying that the Bill had good hope of future services in the presidency. Mr. Satyamurthi would like the circulation of the Bill and delivered a forceful speech characterising the appointment of a Commission as unsound.

Mr. Satyamurthi deprecated the Commission as being a creature of the Government not vested with powers, as one appointed by the India Government. He charged the Government siding with the party in power and opined that communal bickerings would be eternal and personal patronage supreme. No permanence, discipline and above all efficiency were assured in the services. Concluding Mr. Satyamurthi said that the present bill foreboded a grave danger.

Sir A. P. Patro found the Bill favourable for discharging communal justice. He warned the Government not to attach importance to the efficiency bogey to ignore communal claims. Mr. Ranganatha Mudaliar, ex-Minister, Mr. Abdul Hamid Khan and Mr. Biswanath Das, supporting Mr. Satyamurthi's motion, doubted the motive in appointing a Commission. The Revenue Member replying to the debate said that the Commission was necessary for efficiency's sake in the services.

Mr. Satyamurthi's motion was eventually defeated by a majority of votes. The Bill was then referred to a select committee.

#### Madras City Police Amending Bill.

The Home Member introduced a bill amending the Madras City Police Act to suppress bucket shops in the city. Many members welcomed the object of the bill which was then referred to a select committee unanimously. Official business being over at this stage the Council took non-official business.

#### Andhra University Act.

Dr. Naganna Gowd's Andhra University Act Amending Bill as finally amended to exclude Bellary, ceded districts Chittoor and Nellore from the operation of the University Act was passed. As the President called Dewan Bahadur Kesava Pillai to move that the Chief Minister's amending bill be passed into law, points of order cropped up as to how he could be allowed to move it, since he chose not to do so on the previous day. The members drew the President's attention to the radical change effected in the Bill in substituting Vizagapatam for Bezvada for the University centre. The President replied that Mr. Kesava Pillai had given notice of moving the question again and so allowed him to move it. By majority of votes the bill was passed.

The Council then discussed and passed the remaining clauses of Mr. Gollapalli's Andhra University Act, awarding in the Bill provisions for providing more first grade colleges and the removal of disqualification for membership of the University on account of political convictions.

Another unofficial Bill to amend the Andhra University Act was passed providing establishment of more first grade colleges in the Andhra University area and removing restrictions on persons convicted for political offences from becoming members of any of the university bodies.

## Religious Endowment Bill.

The Council next considered Dr. Muthulakshmi Reddy's Madras Hindu Religious Endowments Act Amending Bill and passed it. There was considerable discussion regarding the numerous restraints contemplated to be imposed on the Devadasis, the girls dedicated to the temples. Then Mr. Ramachandra Reddy's bill to declare Mizapuram and Hedagannur estates impartible was taken, consent for the bill being granted. Mr. Viswanath Das's motion to refer the bill to a Select Committee was not over when the Council adjourned its sittings till the 25th February.

## Arrest of Andhra Leaders.

On the 25TH FEBRUARY Mr P. C. Venkatapathi Razu, the newly-elected Congress party leader, moved an adjournment of the House to discuss a matter of urgent public importance, namely, the unwarranted and illegal arrest of the Andhra leaders by the city police on February 17 under section 151, Cr. P. C.

The Law Member said that since the arrest and release had taken place already, there was no urgency. The President ruled the motion urgent having regard to the fact that the arrests had been made under section 151 and there was a probability of similar action being taken any day by the Government.

The mover characterised the police action as high-handed and emphasised that his object in making the present motion was to ensure the non-recurrence of similar deplorable trifling with personal liberties by the authorities.

Sir Mohamed Usman, Home Member, replying to the debate, justified the police action as the police had definite information that the persons concerned were determined to disobey the Police Commissioner's order preventing processions going towards the harbour where the Commission was being received. He also congratulated Mr. Cunningham, Commissioner, on the efficient police arrangements on the date of the Commission's arrival.

The House divided on Mr. Venkatapathi Razu's adjournment motion to discuss the 'illegal and unwarranted arrest' of some Andhra leaders, including Mr. Konda Venkatappa and Mr. Swami Naidu, by the city police on February 17 on the eve of the Commission's arrival. The motion was negatived by 49 votes against 35 registered in favour of the motion, Justices voting "en bloc" with the Government.

## Budget for 1929-30.

On the 26TH FEBRUARY the Government presented the budget for 1929-30. The Budget estimate of total revenue was 1807.09 lakhs, the expenditure charged to revenue being 1821.6 lakhs. Revenue was Rs 38,000 less and expenditure was greater by 103.4 lakhs than the revised estimates for the last year.

Land Revenue contributed 753.92 lakhs to the exchequer being slightly less than the last year's budget estimate. Revenue from excise and stamp came next contributing 553.8 and 256.3 lakhs respectively. Excise showed an increase of 29 lakhs over the last year's budget estimate but was less than the revised estimate by about 3.7 lakhs.

General administration was responsible for 252.8 lakhs. Education in the budget estimate for 1929-30 was 269.38 lakhs. Increased grants were provided for the Madras University and Andhra University. Out of 269.3 lakhs, 145.23 lakhs was to go to University and 30.6 to secondary education.

Expenditure on police was budgeted to be 201.03 for the coming year. The Budget contemplated reorganisation of police administration of the city into three branches (1) Traffic (2) Crime, (3) Law and Order.

For civil works 240.38 lakhs were budgeted to be spent being about 18 lakhs more than the last year's budget estimate over police. For public health will be spent 47.6 lakhs, part of grants for public health being mainly for water supply and drainage schemes.

The opening balance for the year would be Rs 485.04 lakhs which would be further reduced by Rs. 34.9 lakhs to be utilised in capital expenditure giving the net closing balance of 413.94 lakhs. Rs 1,40,000 were provided for elections in the year.

Summing up the financial position the Finance Member said :—

"The budget proposals for this year are well within our resources. We can not only pay our way, but have quite a handsome balance at our bankers." But he took care to point out that the balance has been the result of the remission of provincial contributions. He said that the budget provision under the public works was considerably in excess of the normal figure. He pointed out the need for an increase in the recurring revenue and said that the only way to get it increased would be to convert the swollen balance



into recurring revenue. He referred to the huge borrowings from the Government of India and announced that the Government proposed to repay on 1st April 1929, balances of loans taken in 1926-27 to 1928-29 amounting to Rs. 212.11 lakhs. The effect of such re-payment on the budget of 1929-30 will be to reduce the debt charge by Rs. 21.62 lakhs and thus the revenue balances at the close of the year will be 223.45 lakhs. That the sum is ample to enable us to deal with the question of Andhra University on the lines recently suggested to protect us against emergencies like 1924 floods and to enable us to other large and exceptional schemes, such as general hospital, without embarrassment.

Concluding, he said that judging from the present position all reasonable demands of the departments could be met without any question of additional taxation being raised for another year. Thereafter the Government will have to depend on the normal growth of revenues. The Council then adjourned till 28th.

### General Discussion of Budget.

The general discussion on the Budget was taken up on the 28TH FEBRUARY and lasted till 2nd March. Most of the members who spoke on this day congratulated the Finance Member on his budget speech characterising it as a clear lucid and frank statement. The budget was continued on the next day when Government policy in regard to excise, irrigation and forest came for a good deal of criticism. Mr. C. V. Venkatramana observed that the excise policy of the Government was not satisfactory and that revenue of the country might be increased by improving the forest department. Other members who partook in the discussion referred to the grievances of the people and the conditions prevailing in their respective constituencies and pleaded for adequate provisions in regard to sanitation, medical relief and education. Mr. T. M. Narayanswami Pillay sounded a note of warning that unless the revenue of the province is increased, they could not maintain the expenditure side on the same level next year.

### Police Shadowing of Council Members.

Arising out of a question by Mr. Satyamurthy regarding shadowing of Congressmen by C. I. D. policemen, Mr. A. Kaleswara Rao put a supplementary question whether Government were aware that the police shadowing was going on even against council members when they were in Madras. The answer was 'no'. The Hon'ble President said that if any member had substantial facts for their being shadowed when they had come to Madras in connection with council work as it would form otherwise interference with the privilege of the house, they should bring it to the notice of the house at a suitable occasion after having a talk with the President.

On the 2ND MARCH, resuming the Budget discussion, Mr. K. V. R. Swami deplored the small amount of two lakhs provided for irrigation.

Mr. Ranganatha Mudaliar, ex-Minister, speaking on the budget said that the tendency of the Government had been to under-estimate receipt and over-estimate expenditure. Sir A. P. Patro, leader of the Justice party in the Council, said that provisions made in the budget had been made without any definite policy. He wanted that adequate provisions should be made for introducing manual training and technical education in high schools. On the whole, he said, he was not very well satisfied with the budget.

Mr. Venkatapathi Razu, leader of the opposition, speaking next said that the economic conditions of the people under the present system of Government were very deplorable. He referred to the high rate of mortality among the population of the province and said that more than half of the products of land were being taken away and the people were left on the verge of starvation. He strongly criticised the excise policy of the Government which had done nothing in that direction except providing rupees four lakhs for propaganda. In regard to industries, he said, Government had not made any liberal provisions.

The Government members including Ministers replied to various criticisms levelled against the budget. The Education Minister replying to criticisms against his educational policy said that compulsory primary education was being introduced in select districts and taluks and in the matter of adult education government were trying to co-operate and help societies like the Servants of India Society. He also said that Madras was spending more for primary education than all provinces except Bombay. The Education Minister also announced that there was a proposal to give the Andhra University an endowment of 25 lakhs of rupees and other conveniences that had been afforded to the Annamalai University.

The Excise Minister referring to criticisms against the provisions made in the budget for propaganda work in regard to prohibition said that propaganda was necessary to impress upon people the evils of drink. He also said that when there was not a consensus of opinion in regard to the evils of drink it would be very difficult to introduce any legislation in the matter. He hoped to conduct propaganda through district boards and taluk boards. Rupees one thousand would be given to each district board which would come forward to take the matter in hand. Other details as to when money should be given etc. would be decided later on. After the revenue member and the Finance Member had spoken the Council adjourned till the 11th instant.

### Voting on Budget Grants.

On the 11TH MARCH the Council re-assembled to vote on budget grants. At the outset Sir Mahomed Usman, the Police Member, moved for a supplementary grant of Rs 1,49,000 under head "Police Item" mainly made up by the expenditure incurred on account of additional police force employed during the S. I. R. Strike.

The opposition to the grant was led by Mr. Satyamurti who charged the Government with extravagance. He complained that the police had developed a tendency to display their force. He referred to the arrangements made in the city during the Commission's visit.

The Home Member asserted that the police was drafted over the railway line during the strike to protect the passengers and general public and not to terrorise them.

The demand was granted by 58 against 26 votes.

### Grant to Madras Simon Committee.

Discussion on the token demand for the grant of enhanced allowances to the members of the Madras Simon Committee was next proceeded with. The Congress members as a body opposed the motion for grant. They questioned their "onerous and exacting task" and said that the money spent in this connection was a mere waste.

Mr. Arokiaswamy Mudaliar, ex-Minister, opposed the motion. He said that it was unfair to come before the House at this stage and demand a higher rate of allowance than the usual rate. He pointed out that a similar committee appointed by the House to go into the resettlement question of Krishna and Godavari Districts only received less than the usual rate of allowances and so saw no reason why the members of the Simon Committee should be given more. He believed that they were failing in public estimation in asking for increased allowances.

Mr. Satyamurthy opposing the grant said that those who accepted the membership of the Committee under the conviction that they were doing so only in the interest of the people, should not come forward and ask for more of the tax-payers' money. Their being members of the House itself demanded that they should not receive any extra allowances than usually provided for. He thought that to distinguish between labours of one committee and another set up by the House was invidious and dispirited the constitutional work done by the Committee. The motion was then put to the vote and declared carried, 50 voting for and 29 against. The members of the Simon Committee remained neutral.

### Brothels Enquiry.

Then Mr. Hameed Khan moved authorising the Select Committee appointed by the House to report on the Brothels Bill to hold its sitting at Ootacamund as the Government would be shifted to Ootacamund in April, to hear witnesses and to draft a report.

The motion was withdrawn on the assurance given by Government that they would come from Ooty and hear witnesses at Madras.

Two bills, one to amend the Madras Medical Registration Act, 1914 and the other to further amend the Madras Port Trust Act, 1905 were then taken into consideration and passed into law.

### Land Revenue Demand.

On the 12TH MARCH the Government sustained a defeat when the Revenue Member moved for the allotment of Rs. 2,868,000 under the head Land Revenue. Mr. P. C. Venkataspathi Razu (Swarajist) moved a cut motion to reduce the allotment by Rs. 100 to discuss the necessity for a land revenue law. Swarajists and Justices voted for the cut motion while the Government and nominated blocks voted against. The motion was carried 54 voting for and 21 against it. Sir A. P. Patro, leader of the Justice Party in Council and Chairman Provincial Simon Committee supporting the cut motion said that when they had the example of Bardoli it was necessary that the policy of land revenue should be reshaped and should be embodied in the form of a Bill.

The Government sustained another defeat when Mr. Satyamurthi moved a cut motion to reduce the allotment of Rs. 3,200 for purchasing stores in England under the head "Land Revenue—Expenditure in England" by Rs. 100 to recommend to the Government the principle of Swadeshi in purchase of stores. The motion was moved with very brief speech as the time was nearing 4-30 by which the allotted time for the discussion of cut motions under the demand No. 1 would be over. Before the Revenue Member could reply, it was 4-30 and the motion was put to vote and carried, 45 voting for and 29 against. Then the whole demand under the head Land Revenue Department was put to vote and declared carried.

#### Excise Demand.

The Excise demand was then taken when Mr. Arogiaswami Mudaliar, ex-Excise Minister, moved a token cut to express dissatisfaction with the Government's excise policy. The mover detailed the efforts made by him during his tenure of office towards prohibition and charged the Government with indifference towards the popular demand even after all parties in the House had on several occasions expressed its aim of total prohibition within 20 years. The discussion was not finished when the Council adjourned.

On the 14TH MARCH, criticising the Government's excise policy, Mr. Mudaliar charged the present Ministers with utter irresponsiveness to the wishes of the House. When he was Excise Minister there was an understanding between him and the other two Ministers that if his prohibition policy was not accepted by the Government they should resign. The Chief Minister went back on that understanding and the speaker said the House could not expect better from such Ministers. He declared that the present Ministers had forfeited the confidence of the House and should be turned out at the earliest opportunity.

Dr. Subbarayan, Chief Minister, refuted the allegation that he had agreed to resign if the Government turned down the Ex-Minister's prohibition proposals. He added that the previous Excise Minister had no excise policy worth the name and no agreement had been reached on the question of prohibition.

Mr. Arogiaswami Mudaliar, rising on a point of personal explanation, reaffirmed his statements that the last Ministry as a whole were agreed on the prohibition proposals and resignation in the event of their rejection.

Sir Norman Majorbanks, intervening, explained that when the proposals of the last Ministry came before the reserved half they did not appear unanimous. He deprecated the use of strong language such as 'falschood' by members and hoped that they would not persist in employing such language.

After the Excise Minister had replied the token cut was negatived by 39 against 60 votes, the Justices voting *en bloc* against the cut censuring the Ministry.

The Excise demand was then passed without any cut.

#### Stamp Duties.

Nonofficials carried without division a token cut urging the necessity of reducing stamp duties to the pre-war level.

#### Forest and Registration Demands.

A token cut in the Forest demand was carried by 38 votes against 30 urging a thorough reorientation of the Forest policy of the Government in the light of the recommendations of the Agricultural Commission. The Council then adjourned.

On the 15TH MARCH the Swarajists tabled several cut motions in registration demand to censure the Government's policy regarding application of communal principle in making appointments in the department. They did not however move these according to the party decision in view of the Madras Services Commission Bill now pending. The registration demand was granted in full.

#### Irrigation Demand.

The Government's irrigation policy next came in for a good deal of criticism when a cut motion moved was to reduce the allotment under head irrigation by Rs. 100. It was urged to introduce a satisfactory irrigation bill and provide better irrigation facilities in the presidency. The cut motion was carried. Then the entire demand 201.92 lakhs under head irrigation minus Rs. 100 was sanctioned.

The Revenue Member then moved for demand for 107.64 lakhs under head Cauvery-Mettur project. Mr. C. V. Venkataraman Iyengar moved a cut motion on the demand

to discuss the general policy in regard to the project. The discussion on the cut motion was not over when the House rose for the day.

On the 16TH MARCH there was a strong criticism of the Government policy regarding the Mettur project voiced by many members during the debate. Mr. C. V. Venkataramana Iyengar in moving the cut motion yesterday, warned the Revenue member not to let the Mettur go down to history as another Backbay Scandal. He pleaded for great economy and asked the Government to keep the house fully informed about the working of project at every step.

The motion was negatived by 41 to 37 votes and the grant for the Cauvery-Mettur project was sanctioned fully.

#### General Administration Demand.

On the motion of Mr. P. C. Venkatapathi Raju, leader of the Congress Party, the Council next carried without division a token cut in General Administration demand. Impressing the necessity of not extending the term of the provincial legislature the mover pointed out that several momentous changes had taken place since the last election, such as, the appointment of the Simon Commission where-on the people's verdict should be ascertained. By extension the public would be deprived of the opportunity to record their opinion regarding the impending constitutional changes.

Another Swarajist member supporting criticised the Justiciaries' attitude and declared the Ministers had forfeited the confidence of the House. Mr. Muniswami Naidu (Justice), welcomed the dissolution. If any party were afraid to face the constituencies, he declared, it was the Swarajists, many of whom were thinking of accepting office.

Sir A. P. Patro, leader of the Justice Party, maintained that his party were prepared to face the electorate any time. Mr. Kumaraswami Reddiar, Justice, said that they would vote the motion without any mental reservation.

Mr. F. James, European group, opined that it was undesirable to extend the term of the Council on constitutional ground but since the question did not concern the local Government alone he would remain neutral.

Mr. Satyamurti refuted the statement that the Congress Party had decided to accept office. He said that in case Swarajists were to accept office they would do so only with the sanction of the electorate, which he hoped would not come to pass. They desired a straight vote on the question of the Simon Commission.

Dr. Subbarayan, Chief Minister, said that he was willing to approach the electorate for their mandate. He threw a counter challenge to the Swarajists saying "let them see the result".

Sir Norman Marjoribanks replying to the debate said that the dissolution was a matter for the Governor to decide and the Government had no say in the matter. He would place the vote and the subject of the debate before His Excellency.

The motion was carried, the Government not challenging a division.

The demands for Rs. 2.25 lakhs and 7.24 lakhs under heads "Electricity and General Administrations"—heads of provinces respectively were sanctioned.

Another defeat was sustained by Government when a cut motion was moved to reduce allotment under the same demand to urge the need for more non-official days for the Council sittings. The motion was carried 40 voting for and 37 against.

The third cut motion moved under the same demand to draw the attention of Government to non-representation of labouring classes in the Legislative Council was defeated 30 voting for and 40 against. The whole demand 4.33 lakhs minus Rs. 200 under head general administration, legislative bodies was sanctioned.

#### Executive Council Demand.

The revenue member then moved demand no 11 for 6.95 lakhs under head "General administration—Secretariat". A cut motion was moved by Mr. Kaleswara Rao to reduce the allotment of Rs. 42,100 for the Executive Council by Rs. 100 to criticise the policy of repression adopted by Government in arresting Congress workers.

Discussion was not over on the motion when the Council adjourned.

On the 18TH MARCH, the Council after heated discussion by 39 against 59 votes rejected a token cut moved by Mr. Kaleswar Rao on the 16th, reducing the Executive Council demand by Rs. 100 criticising the Government's repressive policy against Congressmen. The mover asserted that there was a deliberate move on the part of the Government to terrorise the people.

Mr. F. E. James, non-official European, opposing the motion said that the talk of repression came only from the Swarajists. It was the only party which said that all those who disagreed with them were traitors. He maintained that it was clearly the duty of the Government to preserve the laws of the land and punish those who broke them.

There was a slight breeze when the Home Member Sir Mohamad Osman repeated the statement of the Police Commissioner that the Andhra leaders arrested on the eve of the Simon Commission's arrival were let off.

One member characterised it as a lie. Whereupon the Law Member Mr. Krishnan Nair rose up and asked the President whether it was a parliamentary expression.

The President said the remark referred only to the Police Commissioner's statement.

After the Government's reply the motion was rejected, the Justices and non-official Europeans voting with the Government.

The Swarajist sustained another defeat shortly after when they pressed for total omission of Rs. 10,000 as payment to the Central Government for the Commercial Accountants auditing the accounts of the Government commercial concerns, urging for entrusting the work to private agencies and thereby encouraging Indian talent. The motion was defeated by 32 votes against 54.

#### Ministers' Salary Demand.

Public galleries were crowded when Mr. Satyamurti moved a token cut in Ministers' salaries expressing want of confidence in Ministers. The mover said the policy of the present Ministry was barren. They neither enjoyed the confidence of the House nor commanded an elected majority. Mr. Satyamurti twitted Mr. Muthia Mudaliar and Mr. Sethuhatnam for accepting office in defiance of their pledges. He denounced the Chief Minister for flouting the joint ministerial responsibility in sticking to his office while his two former colleagues resigned. The speaker declared that Dr. Subbarayan flouted the House with regard to the Simon Commission which was a class issue.

He had not concluded when the Council was adjourned.

On the 19TH MARCH the Council proceeded with the cut motion on ministers salaries. Mr. Satyamurti said that in the interests of developing the sense of responsibility and democracy in Ministers, they should vote for the cut.

The Chief Minister replying said that it was the Swarajists who were conducting themselves in irresponsible manner. He was for constitutional and ordered Government and had no hand in framing the present imperfect constitution. If he was in office it was because he had the house behind him. He declared that the Swarajists gave him no chance to get through with his measures. The Swarajists had neither plans nor policy. Concluding, Dr. Subbarayan said that his greatest achievement had been to show the Swarajists in their true colours.

The cut was put to vote and lost by 37 against 70 votes.

#### Demand under Justice.

The Council next carried a token cut under the demand for administration of justice to express dissatisfaction at the administration of Civil Justice. The demand for Rs. 84.14 lakhs under the head administration of justice minus Rs. 100 was then made.

#### Demand under Jails.

Mr. Satyamurthy then moved a cut motion under the demand Jails to reduce the allotment for Rs. 37,100 for superintendence by Rs. 100 to draw attention to the bad treatment meted out to political prisoners. Congress members pointed out the indignities and inconveniences to which the political prisoners were put and pleaded for more human and fair treatment.

The Law Member replying admitted that persons who were not guilty of serious political offences should be treated in a kind way, but he said that it was not possible to place all political convicts on a same platform. Justices supported the motion and the ministers remained neutral. The motion was carried 46 voting for and 48 against amidst cries of "resign, resign." The House then adjourned.

On the 20TH MARCH, further two cut motions of Rs. 100 each under demand for jails were carried. The first cut was to recommend supply of khaddar clothing to jail convicts. 33 voted for and 18 against. The other cut drew the attention of the Government to the bad food supplied in jails. The whole demand 31.64 lakhs minus Rs. 200 was granted for jails.

The Law Member replying pointed out that according to his information khaddar was more costly and less durable and as Government had set apart a new machinery worth about four lakhs in Coimbatore Jail for spinning the suggestion would not be to the interest of the tax-payers. He, however, promised to make further enquiries about durability as well as cost of khaddar. The cut was carried by 33 against 18 votes, twenty remaining neutral including Ministers, unofficial Europeans and several justices.

The Home Member Sir Mohammad Osman was subjected to continuous interruptions when defending Government against the cut under the Police demand. Referring to the arrangements on the day of the Commissioner's arrival he said the boycotters had no intention of going towards the harbour and their allegation that they were prevented by the Police from going to the harbour was only a pretence. He read a letter from Mr. Srinivasa Iyengar and Mr. Nageswari Rao to the Commissioner of Police. There were interruptions and the Home Member promised to place a copy of the letter on the table next day. The letter read by him stated that a boycott procession would start from Napier's Park and go as far as the Cupola Bow where a meeting would be held. He also said that police arrangements were made in the interests of the boycotters themselves and referred to the last year's occurrences.

Mr. Satyamurti objected to the statement of Sir Mohammad Osman and referred to the Police Commissioner's words that they would be physically prevented if they passed.

The further cut was lost 32 voting for and 57 against.

#### Medical Demand

On the 21ST MARCH the Council rejected a token cut by 28 votes against 50 under medical demand which sought to express disapproval of the Government's Medical policy and urged adoption of cheaper indigenous system on general scale.

Mr. Muthulakshmi Reddi's token cut pressing on the necessity of employing women as medical officers in all lying-in hospitals in the presidency and also impressing the need for more facilities of training nurses and midwives was similarly lost without division.

Mr. Satyamurti's token cut which aimed at prohibiting private practice by doctors employed in Government hospitals was thrown out by an overwhelming majority.

The Public Health Minister replying to the criticisms of medical policy said that the Government made more provision for encouraging indigenous system of medicine than some members thought. Provision had been made for starting more rural dispensaries and it was up to the local bodies to take advantage of the opportunity afforded by the Government. The Government was very sympathetic towards indigenous system and no instance could be quoted in which they refused to grant assistance. The medical demand was granted in full.

Demand for Rs. 795 lakhs and 197'88 lakhs under heads education reserved and transferred respectively were next sanctioned by the Council. The cut motion moved to point out the necessity for introducing compulsory education in the province was defeated. The House then adjourned.

On the 22ND MARCH the Council voted the entire budget demand by the Agriculture Minister, a token cut censuring the administration being negatived by an overwhelming majority.

Mr. Arogyaswami Mudaliar, ex-Minister, opposing the grant expressed surprise that the Government which provided eight lakhs for traffic regulation could not see its way to provide more than eighteen lakhs for agriculture.

The Chief Minister said that the Government was doing its utmost to better the agricultural conditions of the presidency, but no better provision was possible unless the Council agreed to increased taxation. He was sure if the Government proposed fresh taxation the opposition would raise their hands in horror.

The Opposition carried a token cut in public health demand urging more provisions in the Budget for improving village sanitation. Non-official Europeans and other groups voted with the Swarajists.

Shortly after, the Swarajists sustained a defeat over a token motion censuring the Minister for Public Health in allotting four lakhs for temperance propaganda on the ground that there were more urgent schemes which were starved. The motion was rejected by 56 against 27 votes.

#### Beach Motor Tragedy.

The echo of the beach motor tragedy was heard in the Council on the 23RD MARCH when after interpellations Mr. Satyamurti asked leave to move for adjournment to discuss the conduct of the Chief Presidency Magistrate (Mr. C. Abbas Ali Khan) as revealed by the High Court judgment in Mr. Collett's case.

The Law Member showed that there was no urgency in the matter observing that Government would consider the consequence of the judgment in due course.

The President said that the remarks of High Court as revealed by the judgment was very serious as the Magistrate's evidence was disbelieved by the Court and therefore it was a matter of public interest and urgency arose when it was considered how far it was advisable for the officer concerned to continue in office when his conduct had been questioned. The President fixed 25th. for discussion.

Re-assembling after lunch the President announced that His Excellency the Governor had disallowed the adjournment motion regarding the strictures passed by Mr. Justice Waller on the prosecution and the Chief Presidency Magistrate.

Justice Waller delivering judgment in appeal preferred by Mr. Collett passed severe strictures regarding the evidence tendered by the Chief Presidency Magistrate as one of the important witnesses before the trial Magistrate who disbelieved the material portion of his evidence and characterized it as fiction. His Lordship was clearly of opinion that the trial Magistrate was justified in disbelieving a part of the Chief Presidency Magistrate's story and accepting the evidence of other witnesses in preference to it. This was with regard to the statement of the Chief Presidency Magistrate that he had visited Collett's house for the second time.

#### Extra Grant to Police re. Commission

The grant of Rs. 51,680 for special police arrangement on the occasion of the Simon Commission's visit to Madras in February last which was sanctioned by the Governor under his emergency powers was the subject of an adjournment motion in the Council on the 25TH MARCH. Soon after question time, Mr. P. C. Venkatapathi Raju, leader of the opposition wanted to discuss the action of the Government in submitting the grant to His Excellency without submitting it to the House. The Advocate-General opposing held that the motion was out of order. The Law Member said that as the House could not discuss by an adjournment motion the action of the Government in submitting to the Governor an expenditure which was refused by the House to be restored. The motion which proposed to discuss the Government action in submitting this expenditure even without being refused by the House to the Governor was out of order.

The President did not agree with the point raised by the Law Member, but disallowed the motion on the ground that there was a precedent where such emergency power had been availed of. He, however, hoped that a suitable opportunity would be given to the House to express its opinion in the matter.

After the disallowance of the adjournment motion discussion on the demands was continued.

#### Other Demands.

The Council sanctioned the demands for Rs. 10.42 lakhs, Rs. 10.83 lakhs and Rs. 1.94 lakhs under the heads "Civil Veterinary Services," "Co-operative Societies" and "Cinchona" respectively. All cut motion moved under these heads were lost. The House discussed the demand under the head "Co-operative Societies" urging necessity for opening agricultural banks for the benefit of the poor ryots of the province. The general policy of the Government in regard to "Co-operative Societies" department also came in for criticism.

The House rose for the day when a cut motion moved under the head "Industries" to urge the necessity for fostering cottage industries by liberal loans was under discussion.

On the 26TH MARCH Sir Norman Macjoribanks moved for further demand of Rs. 40,000 to provide for improvements in the year 1929-30 of Vijjewaram under head sluice Godavari Western Delta.

Mr. Satyamurthy rose on a point of order and objected to the motion for further demand on the ground that this was not a matter which had arisen after submission of the original demand and this demand would have been included in the original budget.

The President disagreed with Mr. Satyamurthy and allowed Sir Norman's motion. After a brief discussion the grant was sanctioned by the House.

Another demand for grant of Rs. 3,56,400 to provide for additional expenditure on Glen Morgan Hydro Electric scheme in 1929-30 was also made.

The House then took up demands for supplementary grants for 1923-29. A cut motion was moved to reduce the token demand of Rs. 100 for the advance of Rs. 24,000 to the board of commissioners for Hindu Religious Endowments by Rs. 1 to discuss the neglect of the Board in not collecting amounts due to avoid contracting more debt. The cut motion was lost and the grant was made.

The House then passed the motion authorizing the Select Committee appointed by the House to report on the Madras Service Commission Bill to hold its sitting at Ootacamund to consider the bill and to draft report.

The Council next pressed the Finance Member's motion that the report of the Public Accounts Committee on audit and appropriation accounts of the presidency for 1926-27 be taken into consideration. The House then passed Mirzapuram and Pedagogur Impartible Estates Bill and the Ellamarru and Penjundra Impartible Estates Bill into law.

#### Demand under Labour

On the 27TH MARCH discussion on budget grants was resumed. A cut motion was moved under the head "Labour" to discuss inactivity or non-intervention of the Labour Commissioner during the recent S. I. Railway strike which was negatived.

The Labour Commissioner opposing the motion defended himself and said that he visited the head quarters of the S. I. R. and acquainted himself with several conditions of the scheme of retrenchment which was the main factor of the subsequent strikes. The entire demand under the head "Labour" was then voted.

#### Civil Works.

Dr. Subbarayan, Chief Minister, moved for demand of Rs. 75.96 lakhs under head Civil works. The cut motions moved to suggest formation of a road fund and to discuss the policy of Government in regard to larger grants to trunk roads and second class roads were negatived. The grant was moved. The policy of Government in regard to the public works department was discussed under the cut motion moved by Mr. Arakya-swami Mudaliar under head Civil works transferred. The opposition members supporting the motion criticised Government in spending on the construction of buildings for officials with pay and pointed out that in a poor country like India it was no use wasting money on the building. The motion was lost and the grant was made.

Another cut motion moved under demand stationery and printing to discuss the affairs of Government press was also defeated.

At this stage the clock struck five and this day being the last day of the session guillotine was applied and all remaining grants were made. His Excellency the Governor arrived in state to the Council Chamber at 5 to and prorogued the Council with a speech

## The Bengal Legislative Council.

The cold weather session of Bengal Legislative Council commenced at Calcutta on the 4TH FEBRUARY 1929. After business of a formal nature had been transacted, Raja Bhupendra Narayan Sinha, Minister, moved for the introduction of the Bengal State Aid to Industries Bill. As the scope of the Government Bill did not come up to the expectations of the people, the Swarajists opposed the motion particularly in view of the fact that another Bill on the same subject, will be introduced by a non-official member in this session.

The motion for introduction of the Bill was lost by one vote.

Without opposition the Calcutta Suburban Police Amendment Bill was passed. There was only one section in the Bill, which empowered the police to dispose of unclaimed properties.



After granting Rs. 50,000 for expenditure under the Famine Relief, the Council adjourned till 7th.

#### Village Self-Government Amendment Bill.

On the 7TH FEBRUARY the Bengal Village Self-Government Amendment Bill brought forward by a non-official member was killed during the third reading, owing to the absence of the author of the Bill at the time of finally putting it before the council for acceptance.

Under directions from the Governor, the President, under the Standing Orders, asked the Minister for Local Self-Government to move certain amendments as recommended by His Excellency in returning the Bill. The Bill as it was originally gave power to Union Boards to appoint Daffadars and Chowkidars, which power was sought by one of the amendments to be vested in the District Magistrates.

It was opposed by Swarajists and with the help of Mahomedan members the Government carried the amendment. There were other amendments giving further powers to the District Magistrate which had been taken away by the Bill, and these related to fixing of pay, dismissal etc. of Daffadars and Chowkidars. After the amendments were carried, the author of the Bill absented himself, and so did not move the final reading of the Bill as amended.

#### Industrial Development Bill.

On the 8TH FEBRUARY the Swarajists sustained a defeat when the motion of Mr. Nabin Ranjan Sircar, proposing the reference of the Bengal Industrial Development Bill of 1925 to a select committee, fell through as a result of an amendment by Mr. P. N. Guha, nominated member, urging its circulation for eliciting public opinion, which was carried by 58 votes against 42.

The bill was to provide for the initiation or development of industries in Bengal Presidency with a view to improve the economic condition of the people. The Swarajists opposed Mr. Guha's amendment and expressed the view that his object was to shelve the bill which would not be passed during the lifetime of this council. Europeans and non-Swarajists, supporting the amendment, observed that the bill should be circulated for the country's opinion before legislation was enacted.

Non-official Europeans characterised the bill as being far too much political.

#### Dangerous Diseases Bill.

The Government next accepted the Swarajist motion for reference of the Bengal Prevention of Dangerous Diseases Bill to a select committee. It was brought forward by Mr. Kumar Sankar Ray for the control and prevention of dangerous diseases in Bengal.

The Public Health Minister, the Raja Bahadur of Nashipur, said that the Government had explained their attitude, and added that he accepted the principle underlying the bill on their behalf. The Minister congratulated the mover on his attempt at preventing dangerous diseases.

The council gave leave to the Swarajists to introduce the Bengal Pasture Bill, the Bengal Cattle Bill and the Calcutta Rent Bill. A motion to circulate the last mentioned Bill was moved by Mr. P. N. Guha, and accepted by the mover Mr. J. L. Banerjee. The Council then adjourned until 11th.

#### Non-Official Resolutions.

On the 11TH FEBRUARY, despite Government opposition, the Swarajists carried two resolutions in the Council. The first resolution urged a mixed committee to examine the working of inland steamer services with reference to passengers' accommodation, fare and freight.

The second resolution, which was carried without a division, urged the appointment of a committee to enquire into the conditions of labour in Bengal with a view to remove their grievances. Mr. G. F. Rose, opposing, said that labourers lived in comfortable circumstances, and it was only the outside influences which fomented trouble. To say that there was unrest among the workers, was nonsense. Mr. Rose was surprised at the artistical expression drawn by the barristers and vakils of the condition of the workers.

Mr. J. M. Sen Gupta, protesting, said that the fling at barristers and lawyers was unnecessary. It was barristers like Mahatma Gandhi and Deshbandhu Das who took up the cause of labour in the past and courted jail, and not men like Mr. Rose. They knew that the Government always sided with the Capitalists. This was a modest resolution, and ought to be accepted.

The Hon. Mr. Marr, replying, observed that in the view of the appointment of the Royal Commission to go into the matter, this Committee would be superfluous.

On the 12TH. FEBRUARY by a majority of 15 votes, two resolutions were carried, one granting house allowance to ministerial officers and typists of the Bengal Secretariat, and the other urging enquiry into the grievances of the Bengal Government Press, the Jail Press and the Settlement Press.

Despite Government opposition, two other resolutions of local interest were carried.

#### Constitution of Medical Faculty.

On the 13TH. FEBRUARY a resolution suggesting changes in the constitution of the governing body of the State Medical Faculty with a view to popularise that body was carried, despite Government opposition.

#### Calcutta Police Charges and Provincial Revenues.

There was a chorus of opposition to the resolution moved by Maulvi Abul Kasem urging that Provincial revenues should be relieved of the charges for the maintenance of the Presidency police, and that expenditure for the same should be met by fresh taxation to be levied on Calcutta citizens.

Mr. Moberly, opposing, said that attempts had been made to bring village chowkidars under the control of villagers, but no Government would divest itself of the powers of control over the police who were so essential in any form of Government. The resolution was lost by 32 votes to 8 and the House adjourned till 20th.

#### Presentation of Budget.

On the 20TH FEBRUARY the Hon'ble Mr. A. Marr, Finance Member, introduced the Budget of the Bengal Government for 1929-30. In doing so he reviewed the financial situation of the province during the year 1928-29, and presented the estimates for the year 1929-30. He said that the year 1929-30 starts with a balance of Rs. 2,53,40,000. Total revenue receipts, exclusive of loan operations amount to Rs. 11,11,23,000, an increase of about 17½ lakhs on the revised estimate for the current year. As for total expenditure the Government have budgeted for an estimated increase of Rs. 74,30,000 over the revised estimate for the current year, and about 88 and three-fourth lakhs over and above the anticipated revenue.

The expenditure estimate, said the Finance Member, includes what is necessary for the ordinary growth, for completion of the schemes already initiated as well as for new schemes. As for the year 1929-30, Mr. Marr said it opened with receipts and revenue estimated at Rs. 10,54,11,000. They are now placed at Rs. 11,45,78,000—an increase of over 51½ lakhs. The current year actually opened with a larger balance than anticipated. This made it possible to place in fixed deposit with the Government of India a sum of 50 lakhs which will earn interest amounting to 1½ lakhs.

On the expenditure side the Budget, as passed by the Council in March 1928 contemplated expenditure not charged to revenue, of Rs. 11,19,62,000. To this was added in supplementary estimate Rs. 7,36,000, thus making available for expenditure in the year the total sum of Rs. 11,26,98,000. Outside the revenue account a loan of 15 lakhs for the Chittagong Port has been adjusted with the Government of India, now that Chittagong has been declared a major port. Taking Revenue and Capital accounts together, but excluding transactions on account of the adjustment loan of 15 lakhs for Chittagong Port, the total savings of this year are estimated at about 27 lakhs. With additional income and reduced expenditure during 1928-29, it is expected to end with a surplus of about 34 lakhs, that is, an anticipated closing balance on the present information of Rs. 2,53,40,000 against the opening balance of Rs. 2,19,52,000. This surplus is

due to a windfall of 52 lakhs as probate duty on rich estates. But for this, there would have been a deficit of 14 lakhs this year.

Summing up, the Finance Member said that the total revenue from all sources this year, as can be foreseen now, will amount to Rs. 12,17,73,000 against the sanctioned estimate of Rs. 11,45,53,000. The year will close with a balance of Rs. 2,53,40,000. It is to be remembered that the closing balance includes Rs. 12,51,000 in the Famine Relief Fund.

Referring to estimated expenditure for 1929-30 Mr. Marr said that the general administration budget was nearly 14½ lakhs over the revised estimate for the current year; whereas the police budget was about Rs. 16,00,000 more than the revised estimate. Grant for education was about 4½ lakhs higher; a sum of 3½ lakhs have been provided for the Moslem Hall, Dacca University; and provision has been made to continue the policy of encouraging agricultural education in secondary schools. The most important item under medical head is the provision of one lakh for grant towards extension of the Tuberculosis Sanatorium at Jadhavpur. The Calcutta Medical Aid and Research Society and the public health department also received a share of the available resources. The Bengal Technical Institute has been granted Rs. 7,000 on an experimental basis for three years for the boot and shoe making department.

Concluding, the Finance Member referred to the Statutory Commission and said that when the Commission visited Bengal Sir P. C. Mitter and he put Bengal's case as strongly as possible, as also other witnesses appearing before the Commission. They presented an united front, and felt convinced that they had impressed on the Commission their case. Meantime they were awaiting the results of their deliberations.

### No Confidence on Ministers

After the presentation of the Budget the atmosphere of the House became tense when Mr. Nurul Huq Choudhury moved his motion of 'No-Confidence' against the Ministers. The House was full and the galleries were crowded.

At the outset, Mr. Nurul Huq charged the Ministers with violating the constitution and further with corrupting the public life of the country and transgressing the well-known canons of public administration. The Ministers had invented a system of management by corruption and jobbery. There had been a good deal of public discontent and the matter was represented to the Simon Commission. There had been no public protest till one nominated member gave notice regarding a liquor shop at Bowbazar. It was impossible to stifle the matter.

Further, the speaker said, the charge of corruption against the Ministers could be divided into three main heads: (i) in relation to the members of Council, (ii) regarding the administration of the Excise Department and (iii) distribution of patronage. As regards the first, he said, it was a favourite dictum of Nawab Mushraff Hussain, Minister of Education, that only persons capable of bribing or willing to be bribed should come to the Council. This was the Minister's estimate of the honest members of the Council. Regarding the second, the speaker said, there had been a good deal of interference due to political pressure in the administration of the Excise Department. Politicians were encouraged to take sides in the quarrels of liquor vendors, and rewarded with handsome remuneration. The Minister made a condition of hearing an application or an appeal that such and such lawyer should be engaged and fairly high fees paid. The speaker cited some alleged instances, one being that a Chittagong M. L. C. was engaged at the instance of the Minister and a fee of Rs. 1,500 was paid for one day's appearance. On the very day of the death of the lessee the license was given to the son of an M. L. C.; and on his surrender to the editor of the "Voteranga," who had become a great supporter of the Ministry.

The speaker accused the Ministry of jobbery, because the Minister of Education admitted that he had to give appointments to sons and nephews of his supporters in preference to qualified candidates.

Proceeding, Mr Nurul Huq said that, contrary to the constitution the Ministers were not responsible to the people and they in the Council could not influence their actions. They kept themselves in office by official and European votes and by a judicious distribution of patronage. He was not challenging the existence of diarchy, but wanted to purify public life and compel the Ministers to respect the constitution.

Mr. TRAVERS, on behalf of the British group, remarked that if the charges of bribery were substantiated they should at once withdraw their support from any Minister. But they were assured that the charges were unfounded and the Ministers did not seem to be alarmed. Proceeding, Mr. Travers emphasised that if this Ministry was turned out then his group would not support any Ministry, because the British group were tired of the game.

Mr. ATQUILLA, following Mr. Travers, said that during the downfall of the Chakravarti-Ghuznavi Ministry, he was offered money by the present Minister in charge of Excise, and subsequently by his agents. The speaker said that he indignantly refused the offer. The issue to-day was neither political nor constitutional but ethical. A Minister with a long purse might succeed to day, but they wanted to vindicate the honesty of public life.

Cries were raised by Swarajists to hear the Minister when Mr. Abdul Sattar, supporter of the Minister, explained that he never appeared as a lawyer before the Minister on Rs. 1,500 a day.

Mr. B. K. BASU, Swarajist, stated that the Hon'ble Nawab Mushraff Hussain told him that in spite of the Swarajists he would carry the Primary Education Bill, because he had 23 Mahomedan members of the House "in his pay." Mr. Bose characterised the remark as an insult to the House. The Minister also had said that what the Prophet could not do, he (the Minister) would do. The Prophet gave universal religion; but not universal primary education. This reminded them, said the speaker, how the poet in the course of one moon became a chemist, fiddler and buffoon.

After persistent demands from the Ministerialists to hear the Minister, the Hon'ble Nawab Mushraff HUSSAIN rose to reply. At the outset he pointed out the procedure followed in issuing licences to liquor shops. He agreed with the decisions of the secretaries and heads of department in the matter, and in case of disagreement the matter must be brought to the notice of the Governor. As regards the fabulous fee of Rs. 1,500, he characterised it as nonsense. The Minister had not finished when the Council adjourned.

On the 21ST FEBRUARY, the Minister resuming his reply said that the policy of the Excise Department had been to centralise excise shops so that consumption might be less. It was according to that policy that excise cases had been decided. He repudiated the charge made by Mr. Nurul Haq that he had asked some party to appoint special counsel at high fees in a particular case. Dealing with the constitutional question, the Minister referred to the practice, and maintained that he was right in the matter of appointments. As regards his offer of currency notes to Mr. Atquilla, the Nawab characterised it as an abominable charge. He asked why this charge was not brought when his Ministry was attacked last year. He also repudiated Mr. B. K. Basu's charge that 23 Moslem members were in his pay, and called it worse than a lie.

Mr. B. K. Basu interupting said it was absolutely true.

Continuing, the Nawab said that Mr. Basu's charge was an insult to the Moslem community. He could defend himself against the allegations in a law court. The Nawab concluded that if the Ministry were to be attacked in this way, the same things could be said against future Ministers.

Mr. J. C. GUPTA (Swarajist) mentioned the alleged circumstances in which the Minister unsuccessfully tried to get the speakers appointed counsel in an excise case through a party, knowing that the "no-confidence" motion was coming.

On behalf of the Union Party, Mr. Sachin SANYAL supported the "no-confidence" motion specially as a mark of their disapproval of the conduct of the Raja of Nashipur, who had accepted office in defiance of the Union Party, to which he belonged.

After Mr. Sachin Sanyal, Sir Abdur RAHIM spoke. He felt from accumulative experience that it was undesirable that this experiment in diarchy should be prolonged. He asked a straight question. Did they believe that Nawab Mushraff was a fit man intellectually to hold the office? Sir Abdur maintained that the charges were well founded.

Referring to the European Party's plea Sir Abdur said: "I for one am dead in earnest for responsible Government which alone will conciliate the people. I want a fair and honest experiment. If the British group are anxious to advance the cause of responsible Government they should know that by keeping the Nawab there that cause will not be furthered."

Mr. J. M. SEN GUPTA next addressed the House. He pointed out that while on other occasions voting took place on the issue whether diarchy was good or bad, the issue this time was different. It was whether or not the members of the House were satisfied that the Ministers were guilty of corruption and dishonesty. The attitude of the European group was that of clever lawyers. Indeed, it was difficult to rouse those who feigned sleep. Mr. Atquilla told the speaker about the incident ten or twelve days ago; and he maintained that every one of the House had heard it. Mr. Travers had replied that he had no knowledge whatsoever of the charge until yesterday. Mr. Sen Gupta said that Mr. Travers was following the footsteps of clever lawyers. The question was whether he had heard of it, and not whether he had any knowledge of it. His party always believed that diarchy was rotten to the core; but now they found that not only the system was rotten, but the very Ministers they had set up were rotten. A false cry had been raised that the charges had been made against one Minister and a communal issue had been raised. He regretted it; but so far as his party was concerned it made no distinction between Hindus and Mahomedans as was evidenced by their support in bringing about the downfall of the Chakravarti Ghuznavi Ministry. Mr. Travers could not deceive his following and the European community for a long time. They had known that the Nawab had been trying for the last one year and half to get followers. That was why the Minister himself did not repudiate the statement of Mr. Atquilla, when it was made on the floor of the House. The Minister, if he had been innocent, could have risen in his seat then and there and protested; but the Nawab did nothing of the kind. What was the inference to be drawn? It was that the Nawab knew the fact to be true.

As regards the Raja of Nashipur, Mr. Sen Gupta asked whether it was not his duty to have stood up in his place yesterday when the charge was made against the Nawab and say he had nothing to do with it.

Mr. Sen Gupta concluded that by turning out one Minister, they were bound to throw out the other also, as the Raja had accepted joint responsibility, and had not repudiated the charges so dissociated himself from the allegations. The Raja of Nashipur had made it clear that he had accepted joint responsibility.

Motion Carried.

The President then put the motions to the House. The "no confidence" motion on Nawab Mushraff Hussain was carried by 65 to 59 votes, and that on the Raja of Nashipur by 62 to 59 votes. The Council then adjourned till February 27th.

On the 27TH FEBRUARY the Mahomedan Pilgrims Bill was passed. The Bill gave power to the Government to secure some control over pilgrim guides.

The Council next sanctioned a supplementary grant of Rs. 424,000 for expenditure under superannuation allowances and another sum of Rs. 15,000 for expenditure under stationery and printing.

#### Budget Discussion.

The general discussion of the Budget commenced on the 28TH FEBRUARY and continued till the next day. The Finance Member was severely criticised for his criminal neglect of the interests of the people. It was really surprising to see that the expenditure under the Police jumped up from Rs. 1,06,57 lakhs to Rs. 2,12,74 lakhs while a very small sum had been set apart for the education of the children of the soil.

The members were of opinion that the Budget was hopelessly disappointing. Cholera and Kalazar were claiming an ever-increasing toll every year but what were the provisions, asked S. J. C. Gupta, made in the Budget to combat these preventable diseases? This showed the callous indifference of the Government to one of the most vital questions affecting the life of the nation.

The Meston Settlement was a curse to Bengal and, as S. Nalini Ranjan Sarkar pointed out, it "has served as a potent excuse for the whole of the Finance Department sitting on its oars and looking on, while we are being borne down to certain ruin." Several members strongly criticised the Government's "eternal excuse of lack of funds." The Council then adjourned till 16th March.

#### Voting on Budget Grants.

Voting on Budget grants commenced on the 16TH MARCH. At the outset the Council granted the supplementary demand of Rs. 36,000 for expenditure on stamps, and Rs. 30,000 on jails.

The Council next discussed ten motions for reduction of the demand of Rs. 44,07,000 for expenditure under Land Revenue, all of which were negatived or withdrawn.

On a token cut motion in the demand under the colonisation of the Sunderbans, a Swarajist member charged the Government with refusing to grant land to educated young men. Replying, the member-in-charge said that there was no rule preventing educated youths from getting lands, and the Government policy was to grant land to them; but such youths were not coming forward. The Council then adjourned till 18th.

#### Government's Excise Policy Condemned.

On the 18TH MARCH demand for Rs. 21,96,000 was made under "Excise." A motion for a token cut was made, when discussion on the policy of vending licences to Excise shops was raised.

Mr. S. C. Mukherjee (nominated), pointed out that there was nepotism and favouritism by the Collector of Calcutta, in granting licences and mentioned individual cases in support of his assertion.

Sir D. P. Sarvadinkari, President of the defunct Licensing Board, said that the Board was not consulted in granting licences. The Board and Temperance Society adopted the Government's policy of minimum consumption and maximum revenue; but of late the Government was not treating the Board properly. New shops were started, resulting in consumption being steadily increased.

Nawab Musharraf Hussain, late Excise Minister, said, that in vending licences, the Collector followed the Government policy; but if thereby a mistake was made, it was rectified by the Commissioner on appeal. These mistakes were possible only owing to the existing system. He was in favour of the auction system, which was existing in Bombay, and urged its revival. He could not appoint a Licensing Board because most of his voters wanted to be on it.

A Labour member said that the only way to stop favouritism in granting licences was to take away the power of vending licences from the Collector, and giving it to a Licensing Board.

The Member in charge of Excise said that the Government were following the policy of minimum consumption, with the result that consumption of country spirit, ganja and opium had decreased without loss to revenue. The motion was carried.

Another cut motion was put when the excise policy of the Government was generally discussed. Mr. A. C. Dutt (Swarajist) said that they were urging total prohibition but it was not accepted. The difficulties pointed out by the Government in the way of the adoption of a policy of total prohibition were imaginary difficulties. It had been said that an army of preventive agents was required to enforce total prohibition. On behalf of the Congress, Mr. Dutta said that they were prepared to raise such an army if Government co-operated with them and not treated them inhumanly as they had done before. He also urged total prohibition of opium, which was really a poison.

Mr. G. P. Hogg, on behalf of the Government, said that the history of the recent years showed that the Bengal Government had successfully carried out their Excise policy. They removed the temptation of indulging in drugs and diminished consumption. The Government had fulfilled its obligation, but could not accept the policy of total prohibition. In its opinion, the time was not ripe for adopting that policy. That time would come when the number of consumers become negligible, and illicit distillation become impossible. The motion was negatived.

## Excess Revenue from Stamp Duty.

On the 19TH MARCH the Swarajists expressed indignation against the Government's action in not allotting excess revenue from the stamp duty to the Transferred departments as promised on the occasion of the passing of the taxation bill. A token 'cut' was carried by a majority of 12 votes.

## Collection of Betting Tax.

The Government was next charged by the Swarajists with abetment in gambling. Asking for reduction in the demand of Rs. 15,000 under the scheduled taxes, which amount was required as charges for collection of the betting tax, the speakers said that this vice, which Indians were imitating from Europeans, should be discouraged. The Government should penalise betting at races.

Mr. Marr, replying, said that the House had already accepted betting by passing an amendment to the tax bill, and they were simply collecting betting fees. Under the Act, betting could not be abolished. The motion was negatived.

## Demand under Irrigation.

On the 20TH MARCH, during the discussion of the irrigation demand, the Government was defeated and a token cut motion was carried. Speakers expressed dissatisfaction with the general policy of the Government and drew attention to the decayed and decaying rivers of Bengal.

## Demand under General Administration

When Mr. A. N. Moberly made a demand for Rs. 10,358,000 under general administration, a Swarajist moved the following motion "That the demand for Rs. 3,000 under the head the 'Indian News Agency telegram' be refused." It was suggested that the Government could get news from the newspapers instead of getting back its own news at the expense of Rs. 3,000.

The Hon. Mr. Moberly, replying, said that this agency supplied two sorts of news, one to the newspapers and one for the benefit of the Government. It supplied the Government with a summary of the current news at a cheap rate. The head of the Government ought to receive Indian news at the earliest possible moment. This agency had been in existence for a considerable time, and invariably had done quite well. There was no reason why the Government should not subscribe to an agency which had given quite a satisfactory service. The majority of the papers subscribe to this agency. In Calcutta, there was no evening newspaper. If the Government were to depend on papers, it would not get news till the following morning. It had been said that the Government merely got back its own news. Mr. Moberly could not understand why the Government should throw dust in its own eyes. The motion was defeated by a majority of 21 votes.

Two other motions urging a reduction of Rs. 1,000 in the expenditure under the head the "Governor's Private Secretary" and refusal of the demand of Rs. 65,500 for the "Governor's band establishment" were lost.

On the 21ST March Mr. Nalini Ranjan Sircar moved a cut in the demand for the "Executive Council". He referred to the alleged memorandum sent by the Bengal Government to the Simon Commission as to the future constitution of the Province. He said that the Executive Council gained the ears of the powers-that-be and hatched unholy plots against the freedom and progress of the people. The mentality with which the Bengal Government proceeded to formulate its proposals before the Simon Commission, was not at all conducive to statesmanlike plans and schemes. The proposals were said to be to perpetuate the principle that there must be safeguards both within the legislature and within the provincial Government by the appointment of two official Ministers, these two official Ministers, out of seven in all, being not responsible to the Legislatures. The powers proposed to be vested in the Governor were very much wider than those existing now. The Governor would have the power even to suspend the entire constitution in case of certain situations created by the opposition, including dismissal of Ministers.

During the discussion the Swarajists referred to the recent arrests, and said that there was an unholy alliance to retard the progress of the country.

Mr. Travers, representing the European merchants, said that the Britishers favoured Government by the people of the country, and they would support provincial autonomy as soon as the communal tension between the Hindus and the Mahomedans disappeared.

The motion was negatived, 43 voting for and 58 against.

## Refusal of Ministers' Salaries.

A motion refusing the Ministers' salaries was being discussed, when the Council adjourned.

On the 22ND MARCH, resuming debate on the motion refusing Ministers' salary, Mr. J. M. Sen Gupta observed that now that Ministers had gone, the proper course would be to appoint Ministers first and then make supplementary demand for salary. The leaders of the co-operating parties had not been consulted. There would be secret meetings of Government officers before the appointment of Ministers. They were poisoning public life. He charged the Government members with breaking the constitution. This was a deliberate piece of rascality on the part of Government members.

The President pointed out that it was an unparliamentary expression and should be withdrawn. Mr. Sen Gupta thought that it was parliamentary since the Chief Justice of Bengal recently used it in a judgment. The President said that the Chief Justice might have used it; but one knowing parliamentary language and a leader of a strong party should not use such an expression. It was withdrawn.

Mr. J. C. Banerjee said that so long as the Government was alien, Indians would oppose it. Diarchy could not flourish in the soil of Bengal.

Mr. Moberly, explaining the position of the Government in the matter, said it was desirable that the Ministry appointed should be stable. It was impossible to find such a Ministry in so short a time. But the Governor would appoint one in a month or so. There could not be Ministers unless the salary was voted. Mr. Moberly opined that it was not impossible to form a stable Ministry. Because there had been a defeat before, it was not right to approach the Secretary of State and say it was impossible to form a Ministry in Bengal. The motion for refusal of the demand was defeated by 34 votes against 69.

After the result of the voting was announced a funny notice was seen hung up on the door of the Chamber, inviting an application for the post of a Minister to be made to the Governor with testimonials and names of supporters from the European party.

The demand under General Administration was carried.

#### Government Control over High Court.

The administrative control of the Government over the High Court was next raised by Mr. Nalini Ranjan Sarker in a token cut. He said that judges should keep aloof from the members of the Executive and avoid even social contact for keeping an attitude of dignified reserve. "If the standard deteriorates" he said "the country will go to ruin. We have heard of a Chief Justice declining an invitation to dine at the Government House because the host was an Executive officer, and of another judge declining to close the High Court in view of the Delhi Durbar. There must be separation of the Judiciary and Executive to maintain the confidence of the people." Proceeding he said.—The main anxiety of the Chief Justice in his memorandum to the Simon Commission, is to keep the High Court beyond the reach of the Council. Has he ever enquired why the confidence which the public had in the past in the High Court, is fast disappearing?

Supporting the motion, Mr. B. K. Bose protested against the way in which the members of the Bar were treated by the High Court judges, with the result that the High Court administration reflected upon the administration of justice in the mofussil. As an illustration, he referred to the remark of a High Court judge who said, "If I say all lawyers are rogues would that be a libel?"

The Home Member, intervening, asked whether a member was entitled to reflect on the conduct of a judge.

The President ruled that the speaker was not naming anybody. Mr. Bose replied he knew where the shoe pinched. As another illustration, he referred to judges, who said that lawyers had exploited a particular case. The speaker was surprised to find that a mofussil judge was afraid of the police. He instanced a case where a District Judge took a reporter to task for publishing particular things in the papers, exclaiming. What would Sir Charles Tegart think?

Cries of "shame" uttered at this stage by the Swarajists were objected to by the President, on the ground that no such cries should be made.

Mr. P. C. Bose pointed out that thumping was allowed in the Assembly. The President hoped that it would not be introduced here.

Mr. J. L. Banerjee asked whether crying "shame" was not a constitutional method of expressing disapproval.

The President observed that cries of "question" and "hear, hear" were Parliamentary, but not cries of "shame."

Mr. P. C. Bose stated his experience of a visit to the House of Lords that this was permissible,



The Home Member was replying when the time limit was reached, and the censure motion was rejected by 41 to 20 votes. The entire demand for Justice was sanctioned. The Council then adjourned.

#### Grant for Jails Department.

On the 23RD MARCH the Council discussed the demand under Jail and Convict Settlements. A number of cutmotions were put, criticising the administrative policy of the Government. The non-officials disapproved of the dilatory methods of the Government in undertaking jail reforms and urged separate messing system and supply of mosquito curtains and better treatment of Bhadrakol prisoners on the lines of the treatment given to European prisoners. All the cut motions were negatived. The original demand was granted.

#### Police Administration Criticised.

There were 65 reduction motions in the police demand for Rs. 1,94,55,000. There was a motion urging reduction of the demand of Rs. 4,80,000 for Calcutta sergeants by one lakh. This amount was larger than the previous year's expense, due to increase of sergeants' pay. It was pointed out that the sergeants' pay was already more than that of the Indian Sub-Inspectors.

Mr. Forrester stated that good work was done by the sergeants during the communal riots of 1926 and the labour strike that followed the riots.

Mr. Moberly said that Calcutta was now free from riots, but the causes leading to the riots still existed. During the riots the number of sergeants was found to be small, and it was found necessary to increase their number. But the military authorities advised soldiers not to join the police on the existing pay. The Government was obliged to increase the pay not only of sergeants, but of Indian constables. The cut motion was negatived.

Another motion urging reduction under the head Superintendents by Rs. 25,000, was next discussed. Reference was made to the Retrenchment Committee's recommendation which was ignored by the Government.

Replying, Mr. Moberly said that since that recommendation, the work had increased tremendously, necessitating increased number of Superintendents. The motion was lost.

On the 26TH MARCH the Council resumed discussion on the reduction motion in the Police grants. Speakers pointed to the public's want of confidence in the Police and referred to the Police assault on young boys who boycotted the Barisal Exhibition organised by the District Magistrate and others. It was also pointed out that Indians were not taken on the higher grade in the Police services, which were reserved for Europeans.

Mr. Moberly, opposing the cut motion, denied that the Barisal Exhibition was organised by the Government or by the District Magistrate. It was organised by local leaders, including Congressmen. A batch of young Congressmen disapproved of the conduct of the elders, and decided on boycotting the exhibition, which was visited by a large number of people. A band of hooligans laid themselves down at the gate obstructing passage. The Police Superintendent vainly tried to persuade them to depart from the place, but the hooligans used insulting language. The Superintendent crossed over them, but none was hurt.

To a suggestion for abolishing the District Intelligence Branch, Mr. Moberly stated that the Government could not do without it. He assured the House that their desire was not to curb the political activities of the people except when they took to terrorism. The Hon. Member denied the employment of secret agents.

As to the suggestion for abolition of the Arms Act and the introduction of military training in schools, Mr. Moberly said it might lead to fractured heads.

#### Grant for Secret Service Opposed.

The next motion related to the refusal of the demand of Rs. 1,00,000 under the Criminal Investigation Department (secret service money).

Mr. Moberly stated that terrorist conspiracy was not a fiction in the imagination of the Police. Although the terrorist movement had been practically eliminated, it was still in existence. Only last month a Police Sub-Inspector was stabbed to death. It had been said that revolution should be quelled by conciliation, and the members had compared India with Ireland. He reminded them that even with the granting of Dominion Government, Southern Ireland's President had admitted the existence of a terrorist conspiracy which required drastic action to be quelled. He assured that the Government had no desire to suppress political activities. What they would suppress was terrorism. He was sure

when the Swarajists became responsible for maintaining law and order, they would find it impossible to do so without a certain amount of secret service money.

All the cut motions were negatived, and the original demand granted.

#### Discussion on Grant for Education.

On the 27TH MARCH the Council granted the demand for Rs. 4,90,000 under ports and pilotage. Several cuts were proposed because no progress was made in taking more Indians into the service since the passing of Sir Phiroz Sethna's resolution. It was urged that facilities should be given to Indians for learning navigation.

The Hon'ble Mr. Marr, replying, said that the Bengal Government had nothing to do with the administration of the department, which was under the Government of India. That Government was experimenting with a training ship at Bombay.

All 'cut motions' were rejected.

The Council also granted Rs. 1,22,50,000 under Education (reserved). This money was required for European education. A "cut" motion criticising the policy of separation in education as suicidal was rejected.

In the demand under Education (transferred) a token cut in the grant for Universities, raised the question of inviolable grants in regard to Dacca and Calcutta Universities. The mover pointed out that the Dacca University served a small area, but its grant was about three times that of the Calcutta University. The attitude of the Government was hostile towards the Calcutta University. The working of the post-graduate department was hopeless.

Replying, Mr. Marr said that a committee was appointed to enquire into the working of the post-graduate department. The Government were awaiting its report. A genuine endeavour had been made to bring about harmonious working of the University.

The cut motion was rejected.

The next two motions referred to the uncertain position of officers in the Provincial Educational Service and to the policy of retrenchment as regards secondary education.

Dr. Jenkins, replying, said that definite proposals for reorganisation of the service had been sent to the Government of India, which would be considered along with the proposals of other Local Governments. There were 11,000 high schools in Bengal. Considering the resources of the province, grant for secondary education was not inadequate.

Several "cuts" were moved in the grant for primary education to draw attention to the insufficiency of grants which delayed the launching of schemes for free primary education.

On behalf of the Government it was pointed out that the grant was not inadequate. A survey of rural and urban area would be made for the introduction of free primary education. All 'cut' motions were lost and the demand was voted.

On the 28TH MARCH, a motion refusing a grant of Rs. one lakh to the Calcutta Hospital Nurses Institute was made to urge better provision for the training of Indian nurses. Sir P. C. Mitter, on behalf of the Government, pointed out that it was impossible to get a sufficient number of Indian nurses to replace European nurses. He assured the House that the Government were keenly considering the question of training Indian nurses. The motion was eventually withdrawn.

In the Public Health demand, a token cut was moved in the grant for combating epidemic diseases. It was pointed out by the supporters of the motion that the present policy was unsatisfactory. The Government was also criticised for its failure to accept Dr. Bentley's recommendation to combat malaria.

Sir P. C. Mitter, replying, observed that health organisation and formation of health units was the aim of the Government's policy, and ample provision was made for these items. The cut motion was carried by one vote. The Council adjourned till 2nd April.

On the 2ND APRIL a token cut was effected in the demand under Agriculture by a majority of 2 votes. The mover urged the desirability of having a Jute Board for the improvement of the Jute industry. There was urgent necessity, he said, for devising a permanent machinery to initiate such steps as would conduce to the improvement and development of the growing, marketing and manufacture of jute.

The Member for Industries said that the Government were in agreement with the views of the Royal Commission on Agriculture. The question of establishing a Central Jute Committee would be discussed soon with Assam and Bihar, which also produced jute. The initial step should be taken by the Government of India, as they derived a large income from the jute export duty. Until the Government of India took up the case, it was premature to discuss the measure.

Non-official European members opposed the idea of a Jute Committee.

#### Discussion on Demand for Industries.

In the demand under Industries, there was a token cut motion on the ground that the Government were taking no steps to save the silk and cotton industry and for improving the cottage industries. Non-official Europeans and Mahomedans voted with the Swarajists in support of the motion, which was carried. The Council then adjourned.

On the 3RD APRIL discussion on budget demands concluded after which the Council was prorogued. A token cut was made under Stationery and Printing on the ground that remuneration of press workers was poor.

An interesting discussion followed when the demand for Rs. 9,000 was made for European vagrants. A non-official moving a token cut urged the enactment of a Vagrancy Act for Indian beggars on the lines suggested by the Mendicancy Committee and the establishment of a hospital and workhouse.

On behalf of the Government, Sir P. C. Mitter pointed out that the European Vagrancy Act was an old Act of the Government of India. The question of dealing with Indian vagrants was a large one. Begging in Calcutta was a lucrative business and there were over 12,000 beggars. The Government were prepared to allot a sum of Rs. 4 lakhs to remedy the evil.

The motion was carried by one vote. The Council was then *prorogued*.

#### Dissolution of Bengal Council.

On the 22ND APRIL, a Calcutta Gazette Extraordinary over the signature of the Governor of Bengal published the following —

"In exercise of the power conferred by proviso (a) to sub-section (1) of section 72B of the Government of India Act, I hereby order that the Legislative Council of the Governor of Bengal shall be dissolved on the twenty-second day of April, 1929."

#### Call for Fresh Election.

Subsequently another Extraordinary issue of the Calcutta Gazette published the following —

"Whereas the Bengal Legislative Council has been dissolved with effect from the 22nd April 1929, the Governor is pleased, in pursuance of sub-rule (2) of rule 27 of the Bengal Electoral Rules, to call upon the constituencies of the Bengal Legislative Council to elect members to that Council in accordance with the said rules and before the 20th June 1929.

"In exercise of the powers conferred by clause (a) and (b) of sub-rule, (2) of rule 11 of the Bengal Electoral Rules, and in pursuance of sub-rule (1) of that rule, the Governor in Council is pleased to appoint the 6th May 1929 as the date for nomination of candidates for all constituencies of the Bengal Legislative Council and for the delivery of nomination papers to the Returning Officer, and the 6th May 1929 as the date on which the scrutiny of nominations shall be held."

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# The U. P. Legislative Council.

## The U. P. Town Areas Amend. Bill.

The Spring session of the U. P. Legislative Council commenced at Lucknow on the 28TH JANUARY 1929 under the chairmanship of Bai Bahadur Lala Suaram. The agenda not being very interesting attendance was thin. The United Provinces Town Areas (Amendment) Bill led to some lively debate. The bill would have been passed unnoticed had not a clause recommending a mixed general electorate been inserted in it by the Select Committee.

After question time amendments were moved by Chaudhuri Dharamvir Singh, and Pandit Iqbal Narain Gurtu suggested minor changes in certain clauses of the Bill. After lunch the House took up the Bill and lively discussion followed on the question of system of election. Hafiz Hidayat Hussain along with Mian Masudul Hussain pleaded for separate electorate. Mian Masudul Hussain speaking on behalf of the Muhammedans said that separate electorate was not the ideal. It was a means to an end. Dealing with the question in detail he maintained that there was no weight in the saying that separate electorate was injurious if extended in town areas as it was good only for villagers who were quite ignorant and for whom it would be a sort of education.

Mian Ibrahim opposing the amendment put by Hafiz Hidayt Hussain supported joint electorate. He said that the establishment of joint electorate would end communal quarrels.

Pandit Iqbal Narain Gurtu opposed the amendment.

Ahmadshah, a Government nominee, on behalf of Christians supported the question of mixed electorate. He said that though he belonged to a community that represented 1·2 per cent of the population in the province yet he advocated joint electorate as he felt it would bring an era of trust and peace.

Nawalzada Iyakat Ali Khan speaking for the Nationalist Muslims advocated that if India wanted freedom and not perpetual slavery separate electorate system would have to be given up. He was heckled several times by the advocates of separate electorate but boldly observed that he was a true Muslim and represented true Muslims. In conclusion he threw an open challenge to Dr. Khan to resign his seat and seek election from his constituency to judge whether the Muslims stood for joint or separate electorate.

The Minister of Local Self-Government speaking left the question to be decided by the house.

Mr. C. Y. Chintamani then took up the question and dealt at length with the evils that would follow the adoption of the principles of separate electorate. He was followed by Mr. Faeuddin who supported the amendment put by Mr. Hafiz Hidayat Hussain. At this hour the Council adjourned.

On the 29TH JANUARY on resumption of the debate over the Town Area Bill Amendment there was a lively discussion between the nationalist and reactionary element in the Council. The debate lasted over three hours. Mr. A. W. Pim, Finance Member, putting Government view sided with the amendment. Mr. Abdul Ahmed and Mr. U. B. Zarfee also voted in favour of the amendment. Pandit Govind Ballabh sounding a note of warning declared that the disease of separate electorate would be extended into villages where the Hindu-Muslim problem was unknown so far.

The amendment being put to vote was defeated.

The other important changes carried on this day were the term of village panchayats being four for three. The house rose for the day and consideration of the bill left for next day.

On the 30TH JANUARY, immediately after questions, the Council proceeded with the Town Area Amendment Bill left unfinished at yesterday's sitting and there was battle royal on the constitutional issue whether or not the principle of universal adult suffrage was acceptable to the House.

Mr. Nemi Saran in moving his amendment that every person who is an owner of any immovable property in the town area be entitled to be enrolled as electors explained the implication of his amendment by saying that its adoption would mean acceptance of the principle of adult suffrage which was a necessary corollary to joint electorate for protecting the minorities.

Khan Bahadur Masudul Hussain who followed opposed on the ground that the position as it stood would not improve as it would give power into the hands of major communities. He was followed by Thakur Manjit Singh and Mathura Parshad who supported

the motion, while Khan Bahadur Fazlul Rahman and Dr Shafat Ahmad Khan opposed. The Government attitude with regard to the matter was made clear by Mr. Elliot, Secretary for Local Self-Government who said that there was no wisdom in giving representation to the people who did not contribute to revenue.

Khan Bahadur Fasiuddin dealt with the election of the chairman of the town area panchayat. It would be remembered here that the provision embodied in the Select Committee report stated that the chairman would be elected by entire electorates. Khan Bahadur Fasiuddin in moving his amendment said that the chairman be elected by the members of the panchayats and the reasons he gave in support of his motion were that it would make the election of the chairman more easy.

He was opposed vehemently by a number of members including Messrs. O. Y. Chintamani, Vikramajit Singh, Mahrotia and Thakur Manjit Singh. The Thakur Sahib said that indeed it was a special feature of this bill that the chairman would be elected by entire electorate and more so it would make such election more popular and it practically was based on models of U. S. A. constitutions where the president of the Congress is elected by the entire lot of electorates.

Pandit Govind Ballabh Pant in opposing the amendment stated that by passing such an amendment they would be going back from the principles embodied in this clause.

Khan Bahadur Masudul Hussain was cheered from the opposite benches when he declared that he personally was against such an amendment, but considering the present circumstances they were not prepared to follow the U. S. A. constitution.

Closure being demanded at this stage the amendment when put to the vote was declared lost.

On the 31ST JANUARY, further consideration of the Town Area Amendment Bill which had remained unfinished yesterday was taken up. A number of amendments were moved. Chaudhuri Dharamvir Singh championed the cause of the villagers. He suggested arrangements of lights in public streets, construction of lanes and drainage, organisation of akharas and play grounds. But almost all his amendments were lost. After four hours' discussion the second reading of the bill was passed.

When the second reading was over, the author of the Bill moved for its final passage. Objection was raised by a muslim member on the grounds that the passage of the bill could not be moved on the same day. The objection was upheld by the President and the Bill's final reading was withheld for the time being.

#### Extension of Council.

An important resolution recommending the extension of life of the present council by one year was adopted.

Lively discussion ensued between the official and non-official branches over the above resolution which was moved by Mohd. Matruddin who in support of his motion said that as there was famine in the province, it would be hard for candidates to run the risk of election. He maintained that the Nehru Report had itself recommended the term of provincial councils to five years.

At this stage Mr. Chintamani said that the speaker was mis-quoting the Nehru report recommendation on the point as the said report suggested extension in case the provincial councils were responsible to the house and not to the executive as at present.

Mr. A. W. Pim, on behalf of the Government, said that he was indisposed to discuss the merits of the question but the official bloc excepting the Ministers would take no part in voting. The motion emanated from the landlord benches and was opposed by the Swarajists and Dr. Chintamani, Nationalist leader, pleaded that the electorate should be given the earliest chance to give its verdict on the Nehru Report, the Simon Commission boycott and similar vital issues.

Division being demanded on the motion the resolution recommending extension of the term of the council by one year was declared carried by 47 voting for and 29 against.

#### Protection for Nayak Girls.

On the 18TH FEBRUARY consideration of the Nayak Girls' Protection Bill was taken up. The aim of the Bill was to terminate the custom whereby minor girls of the Naik caste were trained for prostitution. The Naiks generally reside in the Kumaon Hills on the border of the United Provinces and there is a regular traffic in their girls.

The Bill empowered the District Magistrate to order the detention of Naik girl below 18 in settlements or place them under the guardianship of suitable willing persons if in the Magistrate's opinion there was danger of the girl being sold, let or trained for hire.

When the President was about to take up the Bill a number of amendments were suggested. Pandit Dharamvir Singh proposed that the local Government should invite organisations of the same faith as Nayaks working in the field of social reform to establish one or more settlements and contribute expenses for good management. But these suggestions were not accepted on the excuse of shortage of funds. Another amendment moved by Pandit Dharamvir was to fix the minor age of Nayak Girls up to 20 instead of 18.

The Home Member replied that it would lead to more corruption.

Pandit Govind Ballabh wanted appointment of a special officer to see that all provisions embodied in this bill were carried.

Mr Bhagwati Sahay suggested that arrangements be made for imparting education and instructions in dancing and music to Nayak girls. Discussion of the Bill clause by clause had not ended when the Council adjourned.

On the 2ND FEBRUARY motions relating to settlement rules were taken under discussion, but as most of the non-official members were absent several motions were passed over without discussion. The suggestion of Pandit Badri Dutt Panday that in case of famine or scarcity in the country or a district, the settlement be postponed, met with disapproval from the official benches and was defeated.

Khan Bahadur Maulvi Fasihuddin's amendment concerning framing of rules for a proportionate share of crops obtained by the zamindars and the tenants was taken up. Division being demanded it was declared carried by 35 to 22.

The general discussion over motions on settlement being technical in sense were not very interesting and the Council adjourned till February 18th when the budget was presented.

#### Financial Statement for 1929-30.

On the 18TH FEBRUARY the Hon. Finance Member presented the budget for the financial year 1929-30 and made a long statement in which he gave a comprehensive account of revenue and expenditure since 1927-28 till 1929-30. He then passed on to the estimates for the budget year 1929-30 declaring first with anticipated receipts which amount to 16 crores 44 and three-fourth lakhs made up of the revenue receipts 13 crores 7 and one fourth lakhs and debt head 3 crores and 4 lakhs and under revenue head there was a total increase of 1 crore 2 lakhs. There was a decrease of 71-14 lakhs in debt head receipts and there was decrease of 150 and one-fourth lakhs in advance from provincial loan funds. Turning to expenditure against revenue he said:

"With an opening balance of 18 lakhs we anticipate revenue receipts of 13 crores 7½ lakhs and debt head receipts of 3 crores 37 and one-fourth lakhs totalling 16 crores 62 and three-fourth lakhs. Against this we propose to spend 12 crores 39 lakhs against the revenue head, and 3 crores 81½ lakhs against the debt head. The total closing balance will then be 42 and one-fourth lakhs composed of 15 and three-fourth lakhs under the Famine relief Fund and 26½ lakhs under provincial resources, including the balance under the United Provinces Development loan.

"The balance under the Famine Relief Fund is a very small one as the result of an estimated expenditure of 15 lakhs. It follows an even smaller balance in the current year; and if these estimates are later on confirmed by the actuals, it may be necessary for my successor to consider the adequacy of the present provision for meeting the much more serious calamities which might occur.

"Before the addition of the new expenditure from the schedules the balance under provincial resources stood at 42 and three-fourth lakhs, but it had to be remembered that a substantial proportion of our anticipated income for next year is non-recurring. The demands of departments were many and pressing, and were ably urged, more especially those relating to the transferred departments; but considering the paramount necessity of caution in a year like the present, it was decided that 16 lakhs 18 thousand of new expenditure was as much as could be prudently accepted at present. Of this, 3 lakhs 98 thousand goes to the reserved departments against schedule demands of approximately 40 lakhs and 12 lakhs 20 thousand to the transferred departments towards

schedule demands of about 80 lakhs. Approximately one-quarter of the new expenditure is recurring.

"It is certainly most regrettable that our circumstances do not admit of a more rapid advance, even with the assistance afforded by meeting a part of our expenditure on objects of a permanent character from loan funds but we may be thankful indeed to have narrowly escaped much more serious financial dangers.

"Should the rabi harvest prove as good as it now promises to be, and should the monsoon be a normal one it may be possible to make some additional provisions of a non-recurring character towards the many requirements which still wait to be fulfilled. This will however be made more difficult by the fact that the budget estimates assume that the enhanced revenue in parts of the districts under settlement will come into force with effect from the year 1336 which their collection has lately been postponed to the next 'rabi' or possibly the following kharif. This may make a difference of some 2 lakhs in the closing balance of the year 1929-30.

"Speculations as to 'might have beens' are usually unprofitable more especially in financial matters; but it may interest the Council to know what our approximate position would have been but for the misfortunes of the past year.

Making the necessary adjustments in the figures for both years so far as is possible, it appears that the balance in our provincial resources at the end of 1928-29 would have been 67 lakhs instead of 4 lakhs and the balance in the Famine Relief Fund would have been 28 lakhs instead of 13½ lakhs. At the end of 1929-30, the balance in our provincial resources would have been 80 lakhs instead of 26½ lakhs, the balance in the Famine Relief Fund would have been 44 and one-fourth lakhs instead of 15 and three-fourth lakhs. The figures might possibly have been rather better than this, as no allowance has been made for the probable additional expenditure under such heads as general administration and Public Health as the result of scarcity while on the other hand no increase has been assumed in excise receipts.

"We should therefore on those figures have been able to make substantial additional provision for advance in many directions, while still conserving an adequate closing balance; but, on the other hand, a comparison between the two figures shows how small is our margin of safety as compared with the magnitude of the fluctuations to which we are liable under circumstances which may easily arise at any time."

#### Demands for Supplementary Grants:

After the presentation of budget the Council adjourned to meet on the 21ST FEBRUARY when demands for supplementary grants were taken up one by one.

The supplementary estimates for the current financial year (February 1929) were voted in toto. Of these an amount of eighty-four and half lakhs were on account of takavi advances to cultivators, thirteen lakhs for famine relief and remaining 12 lakhs and odd were for ordinary revenue expenditure under different heads namely, Rs. 121320 under general administration, Rs. 28146 under police, Rs. 129120 under jails, Rs. 29014 under forest, Rs. 24400 under irrigation works charged to revenue, Rs. 84000 under stationery and printing, Rs. 12740 under stamps Rs. 226200 under superannuation allowances and pensions, Rs. 10,000 under miscellaneous charges, Rs. 71294 under expenditure in England and Rs. 232615 under administration of justice.

The Swarajists and Nationalists opposed several of these demands but although the House was divided on numerous reduction motions the Government won on every occasion and the items were all voted.

When the Hon. Finance Member put the grant for police, several motions for token reductions were made by Thakur Sadho Singh and Mr. Jia Ram Saxena who criticised at length the useless expenditure incurred in the police department.

Some excitement was created when grant of Rs. 129,120 for jails was suggested by the Finance Member. Mr. A. W. Pim, the Finance Member in proposing the amount said that as actual average jail population in the year had been much higher than was anticipated and combined with high prices due to scarcity had led to increased expenditure on diet and clothing. In view

of the heavy population it was found necessary to engage additional temporary warders and other subordinate officials.

The Finance Member however failed to convince the house and several motions were moved but were withdrawn in the long run. A demand for Rs. 29,044 was then made to defray expenses in connection with collection of forest revenue and administration of the forest department. The Hon. Finance Member pleaded that a forest engineer was engaged.

Rai Bahadur Mathura Persad in moving a reduction of Rs. 3,634 in this respect said that the forest engineer was not at all needed and it was nothing but providing posts to those who were unemployed.

Rs. 13,06,234 were granted to meet the charge against the famine relief fund. Then supplementary grant of Rs. 2,44,000 was made to meet the cost of operations in government forest.

Rai Bahadur Mathura Prasad dealt at length with demands made for stationery and printing department which amounted to Rs. 84,000. He said that he was unable to follow why such heavy demand was put. After dealing with stamps, loans and advances by the local government and other miscellaneous charges the council adjourned.

#### Non-official Bills.

On the 22ND FEBRUARY the absence of interesting interpellations and question on the agenda paper enabled the Council to begin with the motion of the United Provinces Town Areas (Amendment) Bill which was moved by Rai Bahadur Lala Mathura Parshad Mehrotra which was passed amidst loud applause. Rai Bahadur Lala Jagdish Prasad's motion was next taken up to amend the U. P. Municipalities Act. After short discussion it was referred to a select committee consisting of about a dozen persons.

Pandit Bhagat Narayan Bhargava received tremendous applause when he stood up to move that the United Provinces Village Self-Government Bill be referred to a select committee. It was a comprehensive measure based on the lines of the Bengal Village Self-Government Act of 1885 as amended in 1919 and it sought among other things to replace the existing nominated panchayats by elected Union Boards with powers to dispose of petty cases, civil and criminal. Mr Bhargava in course of his speech impressed upon the House the necessity of the Bill which, in fact, stood for sowing of a seed of Self-Government in the country.

He was followed by the Hon'ble Minister for Local Self-Government who took every pain to convince the House that the proposal before them was unsuitable to the circumstances of the country. He opposed its reference to a Select Committee firstly on the ground that the present system of nominated panchayats was working satisfactorily since the Government could select the best available men and secondly because it was against British jurisprudence that elected bodies should exercise judicial powers. He was heckled several times and ultimately had to sit down.

Mr. Gurtu was the next member who said that the right place to begin with the Self-Government problem were village units and he did not find any earthly reason why Government which stood to prepare people for Self-Government should stand in their way by opposing such a sane and innocent bill.

"At a time when the country is aspiring for Dominion Status, why the villages be not provided with panchayats based on elective system," declared Mr. C. Y. Chintamani. "In circumstances which differ in America and India there was no reason why Indians cannot adopt Self-Government institutions and work them out. The reason of illiteracy advanced by the Home Member, fell flat as it was entirely due to the negligence of government, and Government should be ashamed of it rather than finding a plea in not enabling Indians to work out Self-Government institutions.

Division being pressed the proposal was declared lost with 38 to 31 votes amidst loud applause on Government benches. The defeat of the bill was mostly due to the fact that several members (Nationalist) being present there thought it better to keep themselves neutral either by sticking to their seats in the House or remaining outside the lobbies.



On the 23RD FEBRUARY, after question time, the House refused several bills to amend the District Boards Act of 1922, The U. P. Municipalities Act 11 of 1916, The U. P. Sanitation Act 2nd of 1892 and the Minor Girls' Protection Bill to Select Committees. Pandit Govind Ballav Pant in moving reference of the Minor Girls' Protection Bill to a Select Committee said that for a long time the necessity of such a bill was felt and if it was not adopted by the House the question of minor girls would be thrown for years to come.

The Home Member was the only member on the Treasury Bench who opposed the motion. On a division being pressed the bill was referred to a Select Committee by 41 to 36 votes. The Oudh Courts Act 4 of 1925 was also referred to a Select Committee consisting of about a dozen persons.

#### Lucknow University Act Amendment.

There was then a lengthy debate over the motion proposed by Rai Bahadur Lala Mathura Prasad Mehrotra for leave to introduce a bill to amend the Lucknow University Act of 1920. It should be reminded here that at present the Lucknow University keeps one whole time officer, a paid Vice-Chancellor, while the amendment moved to-day sought to delete that particular clause and leave it on the option of the University either to have a paid or Hon'y. Vice-Chancellor.

The amending Bill inter alia removed statutory restrictions regarding a paid Vice-Chancellor and left the question of appointment of a honorary or paid Vice-Chancellor to the University bodies themselves. Although the issue was the reference of the Bill to a Select Committee, the debate was side-tracked into discussion of merits and demerits of a part time and whole-time Vice-Chancellor for residential universities.

Kunwar Jagdish Prasad, Chief Secretary to Government, speaking on behalf of the treasury benches opined that he did not oppose the bill in toto, but he did not find any reason why the interest of education must suffer at the alter of party politics, more so when it was most essential for a residential University to keep one whole time paid Vice-Chancellor.

Mr. Dharamvir Singh stated that it was unnecessary misuse of public money to fill the pocket of one individual when far abler persons could be procured to carry out the same duties.

At this hour the Hon. Minister for Education wanted to say something, but as a point of order was raised he had to go back to his seat. Amongst others who supported the provision were Messrs. Bikramjit Singh, C. Y. Chintamani and Thakoor Manjeet Singh. Thakur Manjeet cited several examples from other sister universities like Aligarh, Benares and Agra which had not an unpaid Vice-Chancellor and their work was not hampered in any way whatsoever. Strong opposition was put by Mr. Herr, Mr. Shafaat Ahmad Khan and the Minister for Education. On a division being demanded the Lucknow University Act of 1920 was rejected by 45 to 32 votes.

Munshi Ahmed was granted leave to introduce the U. P. Zamindars' Association Contribution Bill (Muzaffarnager) but he could not introduce it as the House rose for the day till the 25th February.

#### General Discussion of Budget.

On the 25TH FEBRUARY the Council took up the general discussion of the budget for 1929-30. Attendance on official benches was very thin. More than a dozen speakers representing various groups in Council spoke from their seats and the tone of the House was a strong condemnation of the budget. Rai Bahadur Jagdish Parshad maintained that apparently the budget was a surplus budget but a budget only with a few lakhs as surplus could hardly be called a creditable budget. Messrs. Raghubir Sahai, Mukandilal, Hafiz Hidayat Hussain, and Moolchand Dubey criticising the budget at length stated that little had been spent on famine relief fund while the loan funds were increasing high. In the matter of education Mr. Moolchand pointed out that Government felt proud when they declared that the expenses were doubled but in this matter the major portion was spent on palatial buildings and little on primary education.

Pandit Iqbal Narain Gurtu called the budget a scandalous one which closed apparently with a surplus of a few lakhs.

Pandit Badri Dutta Pandey before dealing with the budget suggested that the name of the province should be "Hindustan." He called the budget a blunt one as it was a budget of fat salaries and palatial buildings. He observed that the advent of the Simon Commission had brought with it scarcity in this province.

Mr. K. B. Zafar Husain congratulated the Finance Member on presenting a surplus budget but he also desired that more should be spent on primary education rather than on university education.

Owing to a motion for adjournment of the House being handed over to the Chair by Mr. V. N. Tewary on the question of distribution of electricity to Bijnor and Moradabad districts the discussion on the budget was adjourned at 4 P.M.

On the 26TH FEBRUARY condemnation and criticism of the Finance Department by every member from the nationalist benches was unreservedly met by the Treasury benches by keeping silent to their seats. Nawab Mohamed Yusuf, Minister for local Self-Government, congratulated the Finance Member for his ability in presenting a surplus budget. But no sooner he had proceeded with his speech which were hardly audible, voices of "hush," "hush" came from all sides of the House. Amidst all the disturbances Nawab Mahomed Yusuf was overtaken by confusion and had to occupy his seat without finishing his speech.

Thakur Mahijit Singh, Minister for Agriculture then read out his manuscript speech. His main theme was that much has been done by the Finance Department in enhancing the cause of agriculture in the provinces. Some of the members raised points of order on several occasions on his mode of delivery as he was reading his speech with his back bent. The President silenced the House by saying that it was the maiden speech of the Minister.

Mr. Blunt, Finance Secretary, pointed out that without borrowings there would have been no Sarda Canal, no Hydro-electric Schemes, no Council Chamber.

Mr. Pim, Finance Member, drew attention to the acute scarcity prevailing due to failure of kharif crop and said that under existing conditions Government was constrained to make smaller provisions for new items of expenditure in transferred departments.

The Home Member took leave of the House to authorise him to congratulate Mr. A. W. Pim, Finance Member for presenting a surplus budget in a year of scarcity. Amongst others who participated in the discussion were Messrs. Nemi Saran, Govind Ballabh Pant and C. Y. Chintamani. Mr. Pant urged that with a view to lighten the burden of the taxpayers the top heaviness of the administration should be removed. The Police Department still constituted to be the pampered department of the Government and the judicial and the executive functions were not separated despite public demand. Thakoor Manjit Singh stated that despite Council's wishes no grants were made for the Benares and Aligarh Universities in budget. Girls' education continued to be neglected. He said that very little has been granted to industries in the provinces. Concluding he urged for technical schools all over the province.

At this stage the clock struck 4 P.M. and the adjournment motion on issue of granting electric licenses was taken up.

Pandit Venkatesh Narayan Tewari in putting his motion before the House traced the history of the development of Hydro-Electric scheme in the province and said that at present there were about five big districts which have found their way to equip themselves with electric lights. He criticised at length the attitude of the U. P. Government which have shown utter disregard of the wishes of the Municipal Boards of Bijnor and Moradabad by granting licenses to Marini and Sons. He said that by granting licenses to one Company Government were creating monopolies which would prove harmful in the long run to the provinces.

Mr. Brijendra Misra associated himself with the mover.

Mr. Masudul Hussain, a Government nominee from Moradabad called this motion a mischievous one. He was cheered and counter-cheered for his whole-hearted support to the Government.

Raja Jagannath Bux Singh maintained that Government should not have over-riden the interests of Municipal Boards.

After Mr. Lane had opposed the motion the Hon'ble the Home Member said that they should have been criticised in case the scheme fallen and not earlier. Referring to the question of monopoly he said that they have safeguarded the interest of consumers by fixing certain rate charge for consumption of electric light.

Mr. Chintamani pointed out that when he was a Minister for P. W. D. granting of licenses was dealt with by himself and not by the Reserved Department.

It being 6 P. M. after full two hours debate the motion was talked out. The House then adjourned.

On the 27TH FEBRUARY the Hon. Finance Member moved for undertaking by the Council of the following programme of works and meeting the cost of their construction from loan funds:—the Civil Court buildings, Revenue buildings, the building of a maternity hospital at Lucknow, building of a central jail at Meerut and continuation on the existing capital programme of police building, canal construction (Sarda) hydro-electric projects, road construction, advance to local bodies, pension commutations, Gazi-ud-din Haider canal sewerage project and electrical installation in the Thomson College, Roorkee provided that the minimum limit of an item to be financed from loan funds in all the above projects shall ordinarily be not less than Rs. 40,000. Several amendments and cuts were moved by various members. After hot discussion the original motion was declared passed by 40 to 37 votes.

At this time an adjournment motion was moved by Mr. Jiam Saxena on the question of arbitrary appointment of Khan Bahadur Shens Shewari Khan as Chairman of the Bareilly District Board by the Minister of Local Self-Government in place of Babu Dhakan Lal who was duly elected with a large number of votes. When the motion was taken all the benches in the house as well as the galleries were fully packed up. Mr. Jiam Saxena in putting his motion before the house condemned at length the arbitrary intervention of the hon. Minister for local self-Government who was considered as a guardian and custodian of the interest of local self-Government. He appealed to the house to rise above communal spirit and condemn the action of the Government in clear terms.

Nawab Mahomed Yusuf, Minister for Local Self-Government in opposing the motion said that the meeting which elected Babu Dhakan Lal as chairman was illegal. Continuing the Hon. Minister said that actually one of the members could not be served notice in due time and under such circumstances Government could not but declare the election void and appoint another man as chairman.

Mr. Fazil Abdur Rahman opposed the motion and said that the election of Babu Dhakan Lal was illegal and moreover the next chairman was the best of the lot.

Pandit Govind Ballabh Pant condemned the action of the Minister and said that the notice was issued in due time and if it was not issued it was not the fault of the board and the Hon. Minister for local Self-Government had no right to override the decision of the statutes which clearly gave power to the board to re elect.

Replying to the debate Mr. Jiam Saxena said that the meeting of the 'Bareilly District Board' was held quite legally and that no objection by any member was raised at the time of the meeting. After discussion for two hours the motion was talked out and the House adjourned.

#### Voting on Budget Grants.

On the 28TH FEBRUARY a number of cuts in various demands for charges on public works establishment, civil works outlay and others were moved but ultimately fell flat on the floor of the House owing to absence of some of the members on the benches opposite. Pandit Govind Ballabh Pant moved that under sub-head 'consulting director architect establishment' a reduction of Rs. 10,000 be made. Several speeches were made but the question being pressed to the vote was lost by 51 to 26 votes. Another very important cut moved for the day stood in the name of Rai Bahadur Lala Mathura Prashad

Mehrotra who suggested that the sum of Rs. 27150 concerning consulting architect be omitted. Thakur Manjit Singh Rathor supporting the motion opined that consulting architect does not exist in the interest of economy, but in the interest of extravagance. He could not see how Government supported such an expenditure over a department which did not exist in this country and it was nothing but feeding a European who all twelve months enjoyed in England.

The Hon Minister for Local Self-Government opposed the motion and tried to establish that the consulting architect was most essential in the interest of preserving old and new buildings.

As a result of division the motion was lost by 49 to 31 votes. Much time was occupied by a motion put by Mr. C. Y. Chintamani suggesting a reduction of Rs. 310:0 under sub-head Director Dy. Chief Engineers Office Establishment. Discussion had not been finished when the House adjourned.

On the 1ST MARCH various cuts and omissions were suggested. Mr. C. Y. Chintamani moved that under sub-head electric inspector to government a reduction of Rs. 100 be made. He criticised at length the government policy in the matter. The resolution being pressed to a division was declared lost.

Pandit Govind Ballabh Pant next moved a reduction of Rs. 8000 under sub-head director of electrical inspection. But the motion was lost by 54 to 34 votes. After a few other cut motions the house adjourned.

On the 2ND MARCH a number of cuts were introduced by different members of various parties in the Council who pointed out omission on the part of government in some cases and extravagance in others. Demands put by the treasury benches for construction of palatial buildings for jails and police came in for strong condemnation. The cut motion moved by Mr. Dharamvir Singh, and Mr. Jiam Saxena in the irrigation and public works dept. gave rise to hot discussions but were all declared lost. Excitement ran high when a cut for Rs. 10,250 under sub-head irrigation expenditure was moved. But the motion on being pressed to the vote was declared lost.

#### Debate on Jail Demand.

The discussion on the solitary motion for token reduction in jail demand for 38 lakhs and odd took almost the whole day.

Presenting the demand Nawab of Chattari, Home Member said that opinions differed on the question whether the jail should be a place of punishment or reformation. His own opinion was that the jail should be both a place of punishment for habitual offenders and dangerous criminals and also a place of reformation for the unfortunate who succumbed to momentary weakness. It was with this end in view that he appointed the jails committee with a non-official majority presided over by Sir Louis Stuart. The Home Member regretted that the committee was not to the liking of one section of the House.

Proceeding, Nawab of Chattari quoted figures to show that the United Provinces was spending comparatively less than other major provinces on jails.

Mr. Mehrotra moved a token cut and raised the question of treatment of prisoners and also protested against the exclusion of opposition members of the Council from the Jails Committee. Mr. Sampurnanand, Swarajist, suggested that lady visitors should be appointed to visit women prisoners while Mr. Jiam Saxena regretted that there were no arrangements for moral instructions of prisoners. Mr. Bhagwat Narain Bhargava, Swarajist, complained that no steps were taken to deal with the problem of illiteracy among the prison population. Mr. Raghubir Sahai cited certain obnoxious and absurd provisions in the Jail Manual. Mr. Ganesh Shanker Vidyarthi asked why Kakori prisoners were regarded as habitual offenders. The Council at this stage adjourned till 5th.

On the 5TH MARCH Mr. Mehrotra's token cut raising the question of treatment of certain prisoners and also protesting against the exclusion of the Opposition members of the Council, from the Jail Enquiry Committee was carried without a division.

Replying to criticisms, the Nawab of Chattari, the Home Member, regretted that it was not possible to accord special treatment to the Kakori Conspiracy case prisoners. He pointed out that some Kakori prisoners were convicted for the offence of dacoity with murder. It was a small consolation to the widow of the murdered person if the assassin was a political offender and not an ordinary criminal. There could be no differential treatment for persons who committed the same crime.

•Debate on Police Demand.

On the 6TH MARCH discussion of the Police Budget of 1 crore and 10 lakhs and odd began and continued till next day.

Mr. G. B. Pant, Swarajist leader, moved a token cut pressing on the Government the necessity for taking vigorous measures with a view to put down corruption in the Police force.

Mr. R. J. S. Dood, Inspector-General, mentioned that in 1927-28, 326 officers and men in the Police force were dismissed for misconduct; while 614 more had been discharged after enquiry. His opinion was that there was considerable improvement during the last decade.

The Nawab of Chattari, the Home Member, admitted that corruption existed in the Police Department, as also in other departments. He assured the Council that the Government would be sparing no efforts to eradicate the evil.

Mr. Pant's token motion was adopted without a division.

Two attempts to reduce the Police demand substantially were frustrated, the Government getting a large majority of votes on both the occasions.

On the 7TH MARCH the Council resumed discussion of Mr Nemisaran's token cut in the police demand, protesting against the imposition of a punitive police tax. The debate side-tracked into a discussion of the "share" of the Police in the origin and prolongation of communal riots. Several members alleged that the Police fomented communal troubles, asserting that the prolongation of the communal riots was certainly due to the remissness and apathy of the Police. They suggested that wherever communal riots broke out, the local Police officers and Magistrates should be heavily fined. At least the local Police should be made to pay the punitive Police tax. In that case communal riots would cease altogether. Generally, "peaceful citizens were made to pay the punitive tax while rowdies provoking riots escaped scot-free. The method of taxing was arbitrary.

Kunwar Jagadish Prasad regretted the side-tracking of the debate. Regarding the Punitive Police tax, he said that the Government were considering the question of framing rules to govern its imposition. The tax was levied to curb the rioting proclivities of rowdies, by touching their pockets.

Mr. C. Y. Chintamani retorted that the threat of touching the pocket might frighten the officials, whose brain-centre probably lay there, but not the rowdies who did not have anything there to be touched. What was needed to stop the riots was firm, prompt and adequate action by the Police and the Magistracy. Wherever communal riots occurred, the District Magistrate and the Divisional Commissioner should be penalised.

Pandit G. B. Pant, Swarajist leader, said that the Government profited by inter-communal differences. The Police could not be exonerated from the charge of fomenting communal troubles. If for every such riot, the police in general lost 5 per cent of their salary, there would no longer be any riot.

The Nawab of Chattari, Home Member, refuted the allegation that the Police had in any way been responsible for communal riots. If the 5 per cent theory was given effect to the Police in general would not draw any pay. Communal riots were the greatest blots on modern Indian history. It was with no feeling of pleasure that the Government ever decided to impose punitive tax.

A token motion protesting against the present system of punitive tax was adopted without a division.

At 5 p.m., when the entire demand for the Police was put to the House Swarajists opposed it, but it was carried by 50 votes against 22. The Council then adjourned until the 18th of March.

## Reduction of Ministers' Salaries.

After 12 days' interval the Council re-assembled on the 18TH MARCH. At the outset a token "cut" pressing on the Government the desirability of appointing an Indian A. D. C., to the Governor, was carried.

A similar cut was also moved, urging the Government to recommend to the Governor to appoint an Indian Private Secretary.

Mr. A. W. Pim, Finance Member, said that the appointment was entirely left to the personal discretion of the Governor and he undertook to bring the matter to His Excellency's notice. The motion was withdrawn.

Consideration of the demand of about one crore and 40 lakhs under the head "General Administration," was next taken up. A dozen motions for reduction of Ministers' salaries had been tabled.

Pandit Govinda Ballabh Pant, Swarajist Leader, moved a token cut in the Ministers' salaries, making it clear that the motion was to censure the present trio. Although the Swarajist creed favoured the abolition of the Ministry, his motion was only a token reduction to make room for better men to come in and play the dyarchical farce if they desired. Mr. Pant said that the chief objection to the present Ministers was their utter incompetence. They exhibited deplorable ignorance and inefficiency daily during the question hour. They entered office pledging co-operation with the Simon Commission; but when the Government memoranda was prepared, they had not any say in it thus failing to redeem the pledge they gave to their co-operating supporters. The U. P. was the only province in India where the Government in the Reserved Half regarded the Ministers as unworthy for consultation in the preparation of evidence for the Simon Commission. The Ministers, Mr. Pant added, utterly failed to play their part; and there had been no progress in the Transferred departments under them.

Pandit Iqbal Narayan Gurtu, Nationalist Deputy Leader, seconded the motion attacking particularly Raja Bahadur Kushalpal Singh for his letter to the "The Manchester Guardian" claiming 25 years' experience in public life and stating that the Indian demand for Dominion Status was fatuous.

Mr. Ganesh Shanker Vidyarthi, Swarajist, spoke next. The Council at this stage adjourned.

On the 19TH MARCH Dr. Shafaat Ahmed Khan, defending the Ministers, attacked the Opposition leaders, saying that the issue was a struggle for power between the agriculturalists and the urban intelligentsia.

Mr. Mahijit Singh, Minister for Agriculture, said that he and his colleagues regarded co-operation with the Simon Commission as being in the best interests of India. But they could not participate in the preparation of the Government memoranda to the Commission because he himself had held office barely for five months before the memoranda was presented. His colleague Raja Bahadur Kushalpal Singh had been only two months in office. He challenged any one to get sufficient insight into the working of the Transferred Departments in such a short period, and to aid in the preparation of material for presentation to the Commission. They appeared before the Commission, and gave oral evidence. To-day's motion, the Minister added, was only an electioneering propaganda.

Mr. V. N. Tewari (Nationalist), supporting the motion, attacked Nawab Yusuf for the part he played in connection with the Khan memorandum to which signatures had been obtained from persons who did not even read the document.

Dr. Khan: Absolutely wrong.

Mr. Tewari retorted: Ask Khan Bahadurs Sheikh Abdullah and Hafiz Hidayat Hussain. They will give you the lie direct.

Proceeding, Mr. Tewari began reading extracts from the judgment of a court which made certain reflections against Raja Bahadur Kushalpal Singh.

The latter rose to a point of order, and said that an appeal against the judgment was pending, and the matter was "sub-judice."

The President held that Mr. Tewari was perfectly in order; but requested him not to quote extracts copiously.

Mr. Tewari, concluding, stated that the Government should not have appointed the Raja Bahadur as Minister until a higher court had overruled such findings of the lower court.

K. B. Masadul Hussain (nominated), opposed the motion, saying that the Swarajists wanted to create some chaos here as in Bengal and the Central Provinces.

Raja Bahadur Kushalpal Singh, Education Minister, said that he and his colleagues believed in co-operation with the Simon Commission, and accepted office on that understanding. They could not participate in the preparation of the memoranda for the reasons stated by his colleague. Otherwise they co-operated fully. He himself was a member of the Provincial Simon Committee, and attended the joint sittings. Indeed, his views regarding the depressed classes' problem were appreciated by Sir John Simon.

Mr. C. Y. Chintamani said that he was not impressed by the defence of the two Ministers regarding the memoranda to the Commission. The late Sir Alexander Muddiman demanded the full co-operation of the whole Government in their preparation. That was why Mr. Rajeswar Bali and Kunwar Rajendra Singh resigned. Want of sufficient insight was no excuse to their successors for not having any say in Government proposals regarding constitutional progress. Mr. Chintamani challenged the Ministers to deny that they expressed reactionary views in their oral evidence before Sir John Simon, and asked whether they had not opposed transfer of law and order, favoured the reconstitution of dyarchy, and the retention of the official bloc. Proceeding, Mr. Chintamani charged Nawab Yusuf with jobbery and communalism. The speaker quoted Raja Bahadur Kushalpal Singh's letter to the "Manchester Guardian," and said that he belonged to a class of men whom the Government delighted to honour and utilise for their own purposes, and whose religious creed and object was loyalty. As for the competence and ability of the Ministers, one need not, Mr. Chintamani observed, seek the opinion of Sir John Simon or the Governor. One got killing proofs of it daily during the Council's question hour.

Nawab Yusuf, Minister for Local Self-Government, denied that he had a share in the preparation of the Khan memorandum. He did not even agree with all its details. On behalf of himself and his colleagues, he said they never claimed infallibility or perfection. They, however, did their duty to the best of their knowledge and power, and according to the wishes of the majority in the Council.

Closure was moved, and accepted. The motion was put to the vote and the House divided, 44 for and 67 against. The motion was lost and the House adjourned.

On the 20TH MARCH there was unusually great excitement in the Council as the result of the arrest of Choudhuri Dharamvir Singh, a member of the Swaraj Party in the Council. Enquiries were made from the Finance Member to let the House know on what charges the arrest of Choudhuri Dharamvir Singh was made. In reply the Finance Member told that he himself was not yet aware of the charges and would let the House know later on after consulting the Central Government.

Almost all Swarajist members were absent on this day as some of them had gone to see Choudhuri Dharamvir Singh at the station.

#### Debate on Education Demand.

Demands for grants in the budget under heading education were then put and several cuts were moved. Mr. Mukundilal moved that under sub-head university education, Lucknow a reduction of Rs. 10 be made in the grant of Rs. 10,13,467 the object of the motion being to urge the necessity of a chair of fine arts. After short discussion the motion was lost. A number of other important cuts were moved by Mr. C. Y. Chintamani under sub-head government professional colleges, civil engineering colleges, and pay of officers that a reduction of Rs. 15,000 be made. Pandit Iqbal Narain Gurtu was able to carry his motion through the House when he moved that under general charges pay of officers a token reduction of Rs. 1 be made. His aim in moving this was to lay open before the House how lavishly public money was spent by Government over such items of education which was not of much utility. The House then adjourned.

On the 21ST MARCH the Council resumed debate on Mr. Mehrotra's motion raising the question of medium of instruction in high schools.

The motion was eventually withdrawn on an assurance given by Raja Bahadur Kushalpal Singh, the Education Minister, that the Government did not intend to go back upon the policy of introducing the vernacular as medium of instruction. The entire education demand was put and voted.

On the 22ND MARCH Mr. Bhagawati Narayan Bhargava, Swarajist, wanted leave to move for adjournment to discuss the policy of the Government in arresting Mr. Dharamvir Singh and others and the situation created thereby. The President admitted the motion, and fixed 4 p.m. for discussion.

In the interval H. E. the Governor disallowed the motion, stating that the Provincial Government was not primarily concerned with the arrests.

## Debate on Excise Demand.

The Excise demand was next taken up.

Khan Bahadur Obaidur Rahaman Khan moved for a reduction of Rs. 4,770, pointing out that budget provided for the pay of two Assistant Excise Commissioners. He objected to the creation of the two posts, but was agreeable to one appointment.

Mr. C. Y. Chintamani moved for a reduction of Rs. 9,540 objecting to either post. He pointed out that the number of Assistant Commissioners should be reduced in accordance with the recommendations of the Economy Committee. The Government were now re-creating the abolished posts one by one.

Mr. V. N. Mehta, Excise Secretary said the two posts created were both temporary. The Excise Manual badly needed revision. One Assistant Commissioner would be temporarily entrusted with the revision of the manual while the other would have the important task of suppressing charas smuggling from the Punjab and the N. W. Frontier Province where charas could be bought much cheaper.

Winding up the debate, Maharajkumar Mahijit Singh, Minister, accepted the minor cut, saying that the Government were agreeable to test if one new officer was sufficient.

The Minister opposed Mr. Chintamani's motion, which was rejected by 42 votes against 25.

Thakur Hanuman Singh (Nationalist) moved a token cut censuring the Government's present Excise policy.

Several Swarajist and Nationalist members, supporting the motion, maintained that the talk of total abstinence by means of temperance propaganda was all sham, and asserted that there was no remedy to the drink and drug habit except total prohibition. If the Government were serious in their intention to check the evil, they would not have arrested hundreds of men during the Non-co-operation movement for picketing liquor shops. Further, total abstinence was never achieved anywhere by temperance propaganda.

Mr. Mehta, Excise Secretary, quoted figures to show that drink and drug evil was waning in the rural areas. He added that the Local Option Bill was ready. If the Government of India permitted it, it would be introduced shortly.

Maharajkumar Mahijit Singh, Minister, said that the present policy was not a new innovation. He merely maintained the policy obtaining during the regime of his predecessors Mr. Chintamani, the Nawab of Chhatari and Kunwar Rajendra Singh.

The censure motion was rejected, 85 voting for and 43 against.

Discussion on the budget concluded on the 23RD MARCH. The entire day was devoted to the discussion of two token cuts in the excise demand.

Mr. C. Y. Chintamani, moving his token motion, quoted passages from the Excise Administration report for 1927-28 to show the difference between the policy laid down in 1921-22 and the present administration. The report, he pointed out, said little regarding the progress towards the attainment of total abstinence. On the contrary, it was full of lamentations for the loss of revenue. Licensing boards were created with a view to control the opening of new shops. They had not been reduced to the position of mere advisory bodies whose recommendations were often ignored. Permission was granted for the opening of new shops against the board's recommendations.

Mr. V. N. Mehta, Excise Secretary, pointed out that the present Minister was not in office in 1927-28, with which period the report dealt. The Minister was therefore not responsible for its contents. The Government seriously intended to work for total abstinence.

Maharajkumar Mahijit Singh said that he had no intention of depriving the Licensing Boards of the very real power they had. It was only in exceptional cases that the Excise Commissioner did not agree with the recommendations of the Board.

Mr. Chintamani's token motion was rejected by 48 to 27 votes.

Mr. G. B. Pant (Swarajist leader), moving a token cut, maintained that he had little faith in the Government's protestations that they sincerely desired total abstinence. If it was so, the Government should reduce the number of shops annually. The figures showed that the Government did little in that direction from the year 1924.

Mr. Pant's motion pressing the Government to take further steps towards the attainment of total abstinence was agreed to without opposition. The entire Excise demand was voted and also other demands which were not discussed for want of time.

Swarajists and Nationalists wanted to reject the entire demand under Registration which belonged to Nawab Yusuf's portfolio. The demand was however voted by 48 against 19 votes. The Council was then prorogued.



# The Punjab Legislative Council.

The Punjab Legislative Council opened at Lahore on the 25TH FEBRUARY 1929 under the Chairmanship of K. B. Ch. Sahabuddin as President and lasted just an hour. After the new members had been sworn in, the President made an announcement that the Governor-General's assent had been received to the Punjab Land Revenue Amendment Act passed by the Council fixing the term of settlement at forty years. The announcement was greeted with applause, one member, Mr. Muhammad Hussain, actually launching into a speech expressing gratitude to the Governor-General and the Governor of the Punjab for according assent to a measure which was very conducive to the welfare of the Punjab peasantry.

He added that the latter could never forget the action of the Government, which had laid the axe at the root of any cause which might hitherto have existed for any agitation on their part against the Government.

This statement was promptly taken exception to by another member, Mr. Chaudhri Afzal Haq, who said that that was not the opinion of the whole peasantry but only of those living in the tract from which the member came.

The President here intervened and called the speaker to order, saying that remarks from the Chair could not be made the subject of debate.

## Financial Statement for 1929-30.

Mr. A. M. Stow (Finance Member) then introduced the annual Budget for 1929-30 in the Council. In doing so, the Finance Member said.—“It has already been tested by the comparative failure of the cotton crop and the continuance of the low cotton prices, but in the present year the wind of adversity has blown stronger and more bitter.

“A blighted wheat harvest has been followed by a cotton crop much below our expectations. Revenue has fallen and the economics which it has been possible to effect are not sufficient to prevent recourse to borrowing for the year 1928-29. The Budget estimate of 11,22,00,000 has been reduced to Rs. 10,65,00,000 or Rs. 57,00,000 less than budgetted.

“The wheat crop has shrivelled and remissions amounting to Rs. 10,00,000 have been given. The kharif crop was below average and cotton has disappointed expectations, necessitating again huge remissions. The total reduction under land revenue and irrigation during the year amounts to Rs. 68,00,000.

“The general expenditure remaining unaltered, and with the extra expenditure incurred by the irrigation branch and the extra expenditure on taccavi the budget could only be squared by recourse to borrowing to the amount of Rs. 1,40,00,000 to be devoted to capital expenditure on irrigation works and hydro-electric schemes.

“For the year 1929-30 capital expenditure is estimated at Rs. 54,00,000 and Rs. 12,00,000, are required to meet the deficit of the amount in the provincial loans account. Extraordinary receipts are estimated to bring in Rs. 1,05,00,000 but in addition to this deficit of Rs. 61,00,000 we have to repay Rs. 75,00,000 which have been temporarily met from other accounts: that is to say, from ordinary revenue receipts or from revenue reserves, so that once more it is proposed to borrow Rs. 1,40,00,000 from the Government of India.”

Concluding the Finance Member said. It is true that the extensive borrowings and exiguous balances disclosed by the accounts are due principally to the disappointments in harvests. Reserves built up in the past were designed not only as a foundation for the superstructure of development but were intended to tide the province over those climatic vicissitudes so familiar to an agricultural population. The intention of the designers has been fulfilled in this year, but it must be admitted that the margin of safety is distressingly narrow.

## Non-official Resolutions.

On the 26TH FEBRUARY the Council was occupied by three resolutions—two asking for irrigation schemes, both of which were withdrawn after assurances by the Revenue Member that Government would give them consideration, and the third recommending an extension of the Council until such time as the new Constitution came into force. This was carried by a majority.

The first resolution, moved by Mian Ahmad Yar Khan Daulatana, wanted immediate steps to be taken for carrying out extensions to a distributary of the Lower Bari Doab Canal on the ground that it would irrigate the area irrigated in former times by a cana

to which cultivators had given up their claim, at the instance of officials, when the Lower Bari Doab Canal was constructed.

Several members supported the resolution which was opposed by certain others who pointed out that the construction of an extension would take away part of the water from the lands of those who benefited now.

Sir Mian Fazl Hussain, Revenue Member on behalf of the Government assured the House that the Government were prepared to consider the proposal sympathetically, the only obstacle being the Council's own resolution passed last year discountenancing all extensions of distributaries.

After several members had urged that last year's resolution had only laid down a general policy and did not bar special cases deserving Government help being considered the Revenue Member being satisfied that a consensus of opinion in the Council favoured the motion, promised the consideration of the case on which the resolution was withdrawn.

The other irrigation scheme sponsored by Rai Bahadur Sewak Ram related to improvement in irrigation in the Dera Ghazi Khan District at a cost of Rs. 20 lakhs.

The mover pointed out that the main problem was to harness the spare energy of the Indus and the hill torrents into distributaries to irrigate the tract called the Kala Pani of the Punjab and mentioned several schemes for the purpose which Mr. Smith, Chief Irrigation Engineer had opposed as "fantastic" and "impracticable" both on account of the enormous outlay involved and their unworkability.

The Revenue Member expressed great sympathy with the member on behalf of the Government but expressed the latter's inability to embark on technical schemes unless approved of by technical experts. He however agreed to have the schemes reconsidered, upon which the mover withdrew the resolution.

The third resolution moved by Sardar Ujjal Singh asked for an extension of the life of the Council to enable the British Parliament to consider the report of the Simon Commission and enact an Act of Parliament. It would facilitate, he said, the removal of the present "irresponsible Government" under which the people were groaning and yearning for a Government under which the Executive would be responsible to the Legislature. If the new Constitution was not introduced by 1930 there would be general resentment that Government were delaying reforms. The agitation under the Congress ultimatum would also be pacified. The Nehru report, he continued, was a valuable document deserving of careful consideration but so far as the Sikh community was concerned, had proved a failure. The speaker was now interrupted by the President who stated that the Nehru Report was not under discussion.

The speaker, resuming, said that the report was based on communal considerations but had not solved the communal problem.

The challenge was taken from the Congress benches by Lala Bodh Raj and Chaudhri Afzal Haq who insisted that it was time the members faced their constituencies on the issue of the Simon Commission boycott and the Nehru report.

Pandit Nanak Chand said that what Hindus were nervous about was that with the propaganda of the Congress party and the Independence, non-violence and self-Government parties if candidates went to villages there might be trouble. After several speeches the resolution was declared carried.

On the 27TH FEBRUARY a lengthy discussion took place over Sardar Pratapsingh's resolution recommending to the Government the repeal of the Punjab Village and Small Towns Patrol Act, 1918. The mover pointed out that the provisions of the Act worked harshly on the poor. Captain Sikandar Hayat Khan moved an amendment recommending to the Government to take steps to institute an enquiry as to whether the Punjab Village and Small Towns Patrol Act, 1929 should be amended or repealed. The Finance Member on behalf of the Government accepted the amendment and pointed out that there was nothing wrong in the Act itself, but there might be some abuses in its working and Government was prepared to enquire into the abuses.

The Nationalist party 'en bloc' supported the original resolution and the Zamindars party supported the amendment. Finally the amendment was accepted without a division. The Council then proceeded to discuss Rai Bahadur Sewakram's resolution recommending to the Government to start at once the construction of the Bhakra Dam and provide for this purpose a sum of 50 lakhs in the coming budget to meet the initial expenses. Discussion on the resolution had not finished when the council adjourned.

On the 28TH FEBRUARY the Council recommended to the Government that earnest endeavours be made to secure the assent of the Secretary of State and the Government of India to the execution of the Bhakra Dam Scheme and that the construction of the same be taken to hand as soon as such assent is received.

The Revenue Member declared that the Punjab Government was committed to the Bhakara Dam Scheme but the assent of the India Government had to be obtained before the scheme could be put into execution.

Speaking on Rana Feroz tin's resolution recommending to Government to amend the Punjab Alienation of Land Act so as to protect the land of members of agricultural tribes who were adjudicated insolvents from sale in insolvency proceedings, the Revenue Member declared that Government would remain firm on the policy involved in the Punjab Alienation of Land Act and they were going neither to move forward or retract from that policy. The Revenue Member was in possession of the House when the Council adjourned.

#### General Discussion of Budget.

The plight of the peasants formed the keynote of speeches during the general discussion of the budget in the Council on the 4TH MARCH. Over a dozen members took part in the discussion. Several of the rural members described how the failure of successive crops had adversely affected the agricultural community in the heart of Villages. One member went so far as to point out that even Australian wheat, on which the villagers were compelled to feed to escape death from starvation, was selling at Rs. 7 per maund. It was this pitiable fight against starvation that drove the poor villager into the clutches of village Shylocks; and, once in their grip, the villager sank deeper and deeper into the mire.

Corruption in various departments of Government was another topic on which several members dwelt. They appealed to the Government members again and again to bestir themselves and save the province from the deadly scourge of corruption which was eating into its vitals and stood as a veritable wall between the Government members and the rural community, preventing the beneficent intentions of the Government from materialising and their benefits reaching those whom they intended to benefit.

One of the members said that the rural community was grateful for the remissions of land revenue and water-rate amounting to 40 lakhs or more granted by the Punjab Government; but in the open session of the Council he would ask the Government to make a searching enquiry to ascertain how much of the remission actually reached the pocket of the poor agriculturist, and how much was intercepted and shared by the Revenue and Irrigation underlings.

Lastly, demand for the extension of primary compulsory education was pressed home as a condition precedent to the introduction of full responsible Government.

Chaudhri Afzal Haq went to the length of saying that the police should be disbanded in view of the enormous increase of the serious crime like burglaries and dacoities. He appealed to the Ministers to make their existence felt.

Discussion was resumed on the next day, the 5TH MARCH when about two dozen members, representing the various parties in the Council took part in the discussion.

Dr. Mahomed Alam, leader of the Opposition, critically reviewed the budget and asked the House to reject it in toto, owing to the irresponsibility of the executive and the impotence of the non-official opposition. He bluntly told the Finance Member that he must have been fed up by the luxuriant appreciation and meaningless congratulations.

"Since yesterday, I am firm in my belief," said Dr. Mahomed Alam, "that for those people whose political rights are being trodden upon, whose grievances are not redressed, and whose wishes are not cared for by the irresponsible Bureaucratic Government, the only legitimate course is to throw out the Budget and not enter into consideration of its details. I have been repeatedly expressing this view in this Council and I still adhere to it. I entered this Council with the avowed object of mending or ending the present system of Government and it is true that I have failed so far. But let not the Government take false pride over it. The Budgets have been voted upon by the House not on account of their merits, but on account of our weakness. I may declare here that notwithstanding the fact that we have not been able so far to throw out any budget, we have succeeded in creating the right impression in the minds of the members of this House."

Continuing, Dr. Alam said: "In the Reserved Department, we could not shut our eyes to maladministration that is going in regard to law and order. Human memory may be short, but the picture of the merciless Lahore assault is still fresh in our minds. The leaders of the people were beaten and assaulted on the day of the arrival of the Simon Commission and Lala Lajpat Rai has met with his untimely death." Dr. Alam then referred to the Saunders murder and the Dussarah Bomb Outrage in Lahore and strongly criticised the action of the Police who had not yet been able to trace the culprits, and also condemned the wholesale arrests of youths.

Dr. Gokulchand Narang, appealed strongly to the Government in connection with the hydro-electric scheme to set up a completely equipped factory for manufacture of electrical goods that would be needed. He wanted extension of the co-operative movement among the commercial community. He mentioned that co-operative banks derived the bulk of their deposits from the professional classes and non-agriculturists.

The Finance Secretary acknowledged the tributes to the preparation of the financial statement in a lucid form.

Mr. Sanderson, Director of Public Instruction, gave facts and figures to show the steady advance in compulsory education and in the education of the depressed classes.

Sir Jogendra Singh, Minister for Agriculture, surveyed the whole field of Agriculture and co-operation to show the measures that were being taken in various directions to ameliorate the condition of the rural community. He explained that agricultural banks and societies limited the scope of service to agriculturists; but when industrial development occurred, fields of employment would open for non-agriculturists also. The need was to make better villages and better men.

Sir Fazl Hussain, Revenue Member, who followed, referring to the Land Revenue Amendment Act, which had received the assent of the Viceroy, said that the Punjab Government had opposed the measure, which had been passed by the Council in the teeth of the opposition. The Government had accepted the defeat. An official had been placed on special duty to make rules thereunder. His predecessor in office had promised that the Government would favourably consider cases of districts where assessment had been already carried out. He declared that he stood by that promise, and remission would be granted to those districts at a cost to the Government of nine lakhs, which, extending over the full term of settlement, would mean a sum of three crores.

The announcement was received with loud applause.

The Finance Member wound up the debate touching on the growth of education. He deplored corruption, and said it was the case in all countries that serious crimes remained untraced for months. The discussion of Budget then concluded and the House adjourned.

#### Introduction of Official Bills.

On the 6TH MARCH the Council took up legislative measures, two of which, the Punjab Vaccination Law and the Punjab Panchayat Amendment Bills were introduced by Malik Ferozekhan Noon, Minister for Local Self-Government, and passed through all stages.

Malik Feroze Khan also presented the report of the Select Committee on the Punjab Adulteration of Food Amendment Bill, which Committee was of the opinion that the principal Act was defective in many points both in form and substance, and that it was desirable that a new Bill should be drafted and the present Act repealed. In compliance with this expression of opinion, he asked for leave to withdraw the Bill referred to the Select Committee.

Leave was granted and the Minister introduced a totally new measure styled the Punjab Pure Food Bill, which was duly referred to a select committee.

Sir Fazl Hussain, Revenue Member, next introduced an important Bill dealing with Satta gambling, and said that the Bill was one in which the public took great interest. The measure illustrated the Government's responsiveness to public demands. The Government had been receiving complaints that Satta gambling was on the increase and had become a grave scandal, resulting in the ruin of numerous persons in many districts. The complaints were backed by Deputy Commissioners of Ferozepur, Hoshiarpur and Amritsar districts, as well as by questions and resolutions by members of the Council and by comments in the public press. While Government had moved on the strength of this emphatic opinion, the Revenue Member regretted that very little in this direction had been done by the social reform and political associations. He recalled that gambling was a sin according to all religions, but no religious society had stood out against gambling. He pointed out that no criminal legislation could be worked effectively unless society was prepared for it. The necessity for stamping out the grave evil was being recognised, and the Government had no course open, but to have recourse to legislation. He concluded by declaring his intention to get the measure passed in the current session.

The Bill was then referred to a Select Committee.

Supplementary grants aggregating to Rs. 54 and half lakhs were voted without any division after the Council adjourned.

#### Voting on Budget Demands.

On the 7TH MARCH the Council voted 18 heads of the current year's budget aggregating to nearly 2 and half crores of rupees. Discussion mainly centred on the

Mandi Hydr-electric Scheme, and the need for revival of dead and dying industries. The whole field of industrial development was brought under review, and a strong plea was made to the Government to save the province from unemployment.

Replying to criticisms, Sir Jogindra Singh, Minister for Agriculture, stated that the delay in the execution of the Mandi Hydro-electric scheme was due to the difficulties of transport of heavy material. He invited the members to accompany him to the spot, and see the difficulties of the project. He was satisfied that the scheme was in the hands of the best technical experts and that work was proceeding in a satisfactory manner. He concluded with an assurance to the House that the scheme would be completed by the 1st of April 1930.

Mr. Manoharlal, Minister for Education, replying to the criticisms why the demand for Industries was not put before the Standing Committee on Industries, explained that the amount of Rs. 75,000 for a sugar factory to be started in Ambala Division, was a portion of the grant of two lakhs made for the purpose by the Council and sanctioned by the Government last year, of which 1 and one-fourth lakhs were paid, leaving a balance of Rs. 75,000 over for the current year, rendering reference to the Standing Industries Committee unnecessary.

On the 8TH MARCH the debate on Sardar Ujjal Singh's token cut in the demand under the head "industries" was resumed.

Dr. Gokulchand Narang described the plight of educated young men in the matter of foreign-made requisites, and said that one remedy for the existing state was the renunciation of fineries, and the wearing of khaddar. The second remedy was to manufacture things in our own country and to develop India's natural resources. He advocated the adoption of protection to get rid of economic slavery in the same way as England and other countries had done.

The sense of the House was that the Government must find money for the development of industries.

Mr. Manoharlal, Minister for Industries, replying to the debate, defended the policy of the Government. He referred to the lines on which the Industries Department could take action. He frankly admitted that, within the exiguous limits of the Punjab budget, it was not possible to do much. But, in the matter of industrial education as much as possible was being done, though he admitted that such education only touched the fringe of industrial development, which included development of natural resources. In the matter of research, nearly as much as could be done was being done, especially at the technical department of the Foreman College and the University School of Chemistry. The copper industry was being encouraged at the Government Technical School in Lahore. The Government had helped in the starting of a sugar factory, financed a hosiery institute and were helping in setting up an oil refinery and also a paper mill, and had sent two men on technical scholarships abroad. He said in conclusion that too much should not be expected from the Government in this behalf, as the people must do every bit they could themselves. The Government could only help them to some extent. The Council at this stage adjourned till 18th.

#### Demand under Industry.

After nine days' respite the Council met on the 18TH MARCH. Three cuts to the demand for Rs. 10,13,000 in respect of industry were withdrawn.

Mr. Ujjal Singh's token cut to discuss Government policy with regard to the promotion of industry which was moved on March 8 was withdrawn after Sir Jogendra Singh and Mr. Wilson, Revenue Secretary, had described what the Government had done to promote various industries.

Mr. Zafrulla Khan's motion rejecting the whole demand under Industries Department of Rs. 63,900 for the Fisheries Department evoked considerable controversy. Those in favour of the motion said that the Fisheries Department had not done anything useful in its thirty years' life. On the other hand, it had made fish much more expensive. Sir Jogendra Singh said that the conservation of fish had increased fish in the Punjab rivers much more than it was ten years ago and the Department had done useful research work. Mr. Donald described how the Department had worked for the growth of certain species of fish in the Punjab.

The cut was eventually withdrawn and on the motion of Sir Jogendra Singh the complete demand for Rs. 10,13,000 in respect of Industry was passed without a single cut having been carried.

#### Demand under Agriculture.

The discussion on cuts to the next demand for Rs. 56,88,700 in respect of Agriculture had just started when the Council adjourned.

On the 19TH MARCH heated discussion ensued over Rai Bahadur Choturam's token cut motion in respect of grants for agriculture. The mover drew attention to the general anti-zamindar drift of the policy followed by the Ministry of Agriculture and complained that zamindars were not adequately represented in various branches of the Agriculture Department. Dr. Gocul Chand Narang opposing the motion maintained that the zamindars who had more than adequate representation in agriculture, as well as departments of Government had no cause of complaint. It should be the motto of each community to live and let live others.

Chaudhury Duli Chand supporting the motion recalled the services rendered by zamindars during the war and protested that Government should have slept over promises made to zamindars.

Sir Fazli Hussain, Revenue Member, leader of the House, complained that the spirit in which the debate was being carried was not worthy of the dignity of the House, and observed that an eye for an eye and a tooth for a tooth should not be the motto of the members of the House. He appealed to the members to be more tolerant of each other's interests and not to introduce personal considerations in the debate.

Some of the members expressed regret for the unfortunate atmosphere that prevailed during the course of the debate and the Council adjourned till the 21st without concluding the debate on Rai Bahadur Choturam's motion.

On the 21ST MARCH, resuming the debate on Agriculture, Rai Sahib Choturam contended that the Agricultural Department's policy had been anti-Zamindar, firstly in regard to reduction in the percentage of appointments going to the agriculturists, and secondly, in the raising of the standard of admission to the Lahore Veterinary College and the Lyalpur Agricultural College to the intermediate instead of the matriculation standard.

Sir Jogendra Singh, Minister for Agriculture, quoted facts and figures to show that the department had given preference to agriculturists duly qualified, however available. He explained that the higher qualification for admission into the college concerned had to be fixed in the interests of the students, who could not follow the lectures, and had to leave those institutions after wasting time. He intended opening vernacular classes. The whole question would be re-examined at an early date. Meantime the new rules would remain in abeyance.

The mover wanted, in view of the Minister's explanation, to withdraw his cut, but the House refused leave, and the cut was put and rejected.

A token cut was next moved urging the Government to sink wells with machinery for irrigating land in Jhelum district.

Sir Jogendra Singh, Minister for Agriculture, explained that the Government fully sympathised with the object of the cut, but experimental borings undertaken as low as 500 feet, had brought no water. He assured the mover that experiments would be continued until they were crowned with success.

The mover of the cut refusing to withdraw the motion, it was put to vote and carried.

The demand minus one rupee was then passed after which the House adjourned.

On the 22ND MARCH discussion was started on Chaudhuri Zafarullah Khan's token cut in the Public Health demand to draw attention to the failure of the Department of Public Health to deal with certain epidemics and suggesting the posting of Moslem doctors in predominantly Moslem districts.

Pandit Nanakchand protested against the principle sought to be enforced, and said no district in the Punjab was predominantly Anglo-Indian or Christian, and asked if the latter communities were to be deprived of posts for their members.

Malik Ferozekhan Noon, Minister for Local Self-Government, gave full details of the epidemics referred to and stated that the Public Health Department had lost no time in combating plague in Multan City and the cholera epidemics at Kasur and Kulja.

The mover sought to withdraw the cut, but leave being not granted, it was put and rejected.

#### Education Demand.

Shahkh Faiz Mahomed moved a token cut in the Education demand, and drew attention to the system of grant-in-aid to private schools.

Mr. Manoharlal, Minister for Education, explained the system and said that in no instance did the Minister cut down the sum recommended by the departmental officers.

#### Press Attacks on the Chair.

Before the Council adjourned for the day, the President referred to several Press criticisms to which the President and the House itself had been subjected. He added that communal partiality was attributed to the chair on the allegation that Hindu

Members were not allowed to speak, while Moslems were freely called upon to make speeches. As a matter of fact on that day, 16 members were called upon to speak, of whom four were Government Officials; and of the 12 non-officials, one was a European, one Sikh, four Moslems and six Hindus. It was hoped, continued the President, that newspapers which indulge in misrepresenting facts, basing their criticisms on incorrect data, would perceive their error, and of their own accord proceed to make amends; but instead of their doing so, they had indulged in further mis-statements and in impugning the conduct and impartiality of the chair. He trusted they would withdraw all mis-statements and insinuations by the time the Council reassembled next week.

On the 26TH MARCH Mr. Manoharlal, Minister for Education, continuing his defence on Shaikh F. z Mahomed's token cut to censure the policy regarding maintenance grants to aided schools, regretted that the mover had used harsh words against the Education Department on the basis of alleged grievances of three Moslem schools in the Province. Going into the facts and figures, the Minister pointed out that in the cases of two schools, the Minister had to modify the rules of the Education Code to make those schools admissible for the grants applied for. The case of the third school was considered by several Ministries before he took office. They had found that it did not deserve any grant. The Minister detailed at length the Government policy regarding helping private institutions, and referred to the State declarations from the Education despatch of 1854 to 1913, and to Sir Malcolm Hailey's speech in laying the foundation stone of the Ram Mohan Roy School at Mianwali wherein he had described how much the Punjab owed to denominational institutions. During the two years he had been in office the Ministers had not departed from that policy.

The cut motion was then put and lost.

Discussion then centred round Chudhuri Duni Chand's token cut pointing out the unsuitability of the inspection staff of the Department. The principal contention was that the urban people could not make good and efficient inspecting officers in the rural areas.

Dr. Gokal Chand Narang protested against the level of the debate in the House taking a downward turn.

Principal Mahr Chand suggested that, instead of picking holes, they should all combine to help the Department in removing the existing defects.

Closure was moved, but rejected by the House. The House then adjourned.

On the 27TH MARCH the Council voted the education demand in full.

A token cut drawing attention to the unsuitability of the inspecting staff was rejected. The days allotted for discussion of the demands having expired the demands for other departments including police, jails, Administration, Irrigation, Forests and Land Revenue were put and carried without discussion.

After a full dress debate, Chaudhuri Zafarullah's adjournment motion to protest against the action of the Punjab Text Book Committee in giving quinquennial contract for printing the department's text books to the last contractors for Rs. 54,000 in the face of offer for Rs. 65,000 tendered by another firm of printers, was lost by 12 votes against 24.

On the 28TH MARCH Mr. Chaudhuri Afzalhaq gave notice of an adjournment motion for protesting against the refusal of the Government to issue passports to the Punjab Khilafat Committee's medical mission to Afghanistan.

Sir Fazli Hussain explained that the Provincial Government acted only on behalf of the Governor-General, and the Government could not issue passports in the face of the express instructions from the Government of India, Foreign Department, in January last, prohibiting the issue of passports to all except Afghan subjects to cross the Afghan frontier in view of the civil war there.

The President held that in the face of the prohibition by the Governor-General he refusal to issue passports was not a primary concern of the Provincial Government. Therefore the motion was not in order.

#### Gambling Act Amendment

Thereafter, Sir Fazli Hussain presented the report of the Select Committee on the Punjab Gambling Bill. He said that the two main alterations made by the Committee regarding the definition of gambling and punishment of offenders were a n improvement on the original bill. The measure as amended was passed.

The Council then adjourned "sine die."

# The C. P. Legislative Council.

The January session of the C. P. Legislative Council commenced at Nagpur on the 17TH JANUARY 1929 under the presidency of Sir S. M. Chitnavis in the Chair. When His Excellency the Governor addressed the Council, the Swarajists were conspicuous by their absence.

Addressing the Council, His Excellency Sir Montagu Butler referred to the prolonged and serious illness of His Majesty the King-Emperor and expressed satisfaction at the recent happy turn. He then surveyed local conditions of the Province relating to famine and agriculture.

Referring to the formation of the Tenth Nagpur Battalion of the University Training Corps, the Governor said that the thoughts of young men of India were turning more and more towards fitting themselves physically for the part they must play in the future of their country, and trusted that a steady supply of recruits of the right type would be forthcoming to keep the battalion up to the required strength. To secure such a supply, physical training should be developed in schools and the Government were devising schemes which would come before the Council in due course.

The Governor said that attempts were being made to remove the prejudices against the so called depressed classes. Jail legislation, he observed, was bearing fruit. The development of a Borstal institution would be taken up shortly.

The Government had completed their plans for an intensive campaign against leprosy and hoped to launch an attack next month.

On the advice of the Ministers, His Excellency said that he had agreed to the completion of the experiment in excise administration in one district. The last liquor shop in that district had now been closed, and the result of that attempt at total prohibition would be watched with the greatest interest.

Proceeding, His Excellency remarked that he did not propose to have a motion put for the appointment of a committee to work with the Statutory Commission. Thus, the case of the province for more reforms would go unrepresented. He said that the decision was theirs and not his. He regretted it, but would make the best of it. The Governor then referred to several official bills and asked the Council to help in their consideration.

## Official Bills

After the Governor's speech the Hon'ble Mr. Raghavendra Rao presented the report of the Select Committee on the C. P. Primary Education (Amending) Bill, and moved that it be taken into consideration. A number of amendments moved by Rao Bahadur Kelkar were carried, and the mover not pressing, the Bill was kept pending.

The Hon'ble Mr. Kedar presented the Select Committee Report on the C. P. State Aid to Industries Bill, and moved for its consideration. There were a number of amendments particularly insisting upon the inclusion of industries subsidiary to or directly benefiting agriculture and hand spinning. Almost all the amendments were carried. The Bill was put off as the mover did not press for further consideration.

The Council passed Mr. Kedar's Opium (Amendment) Bill. The Hon'ble Mr. Tambe introduced the C. P. Children's Act Amending Bill. The Opium Bill was passed after which the Council adjourned.

On the 18TH JANUARY, the President announced that there were three motions of "no confidence" in the Hon'ble Mr. Raghavendra Rao and the Hon. Mr. Kedar, but in view of the resignations tendered by both the Ministers, the motions of "no confidence" automatically lapsed.

## Minister's Statement

The Hon'ble Mr. Raghavendra Rao made the following statement: "I am entitled to make a statement. I received the following letter from Mr. Kedar :



'My dear Rao, the attitude taken by the Legislative Council over the State Aid to Industries Bill was as unexpected as it was surprising. The fatal amendment to the Bill which the Council carried has the effect of securing grants to institutions and organisations having for their object the revival or development of handspinning. The amendment does not stop there. The amendment, that institutions and organisations enjoying free grants of money should be exempt from maintaining and rendering accounts as well as from liability to submit to Government audit, has entirely altered the scope and purpose of the Bill as it emerged out of the Select Committee'.

Mr. Rao continuing said that in those circumstances his colleague Mr. Kedar felt unable to pilot the Bill in the Council.

Constitutional propriety required that he should resign. His colleague desired to submit his resignation to His Excellency. His colleague was sorry to sever his connection with the Government so abruptly. The members imported considerations other than the merits of the Bill. Mr. Kedar was grateful to His Excellency and the members of the Government for the uniform kindness and courtesy they had extended to him during the brief time of his office. The Hon'ble Mr. Raghavendra Rao shared with his colleague's views and resigned his office on account of joint responsibility.

The Primary Education Amendment Bill, amended by the Council was passed. The Court of Wards Bill was referred to a select committee. The Council then adjourned.

On the 19TH JANUARY Mr. Gole proposed to move the adjournment of the House for discussing the propriety of the Government resolution relating to Survey and Settlement which had occasioned widespread discontent amongst the people of Khamgaon; but the President ruled it out of order stating that the matter was sub judice.

Supplementary demands for grants for expenses in connection with epidemic diseases amounting to Rs. 18,700 for veterinary charges, for hospitals and dispensaries, medicine and instruments amounting to Rs. 40,000, for famine relief amounting to Rs. 350,000, and for original works and communications amounting to Rs. 1,383 were voted.

#### The Settlement Bill.

The Settlement Bill which was thrown out in 1924 when the Swarajists were in a majority in the C. P. Council was taken up for consideration. Several amendments were proposed, and the Bill was passed as amended by the Council.

The principal points of the Settlement Bill as amended by the Council are that (1) the present term of 20 years is extended to 30 or even 40 years, (2) enhancement of rents on each holding has been limited to 75 per cent to which up to now there was no such limit, (3) improvements on lands have been exempted from enhancement for ever which was up to now allowed for one term of settlement only, (4) the percentage of land revenue has been fixed at 50 per cent and (5) assessment has been circumscribed.

#### Discussion on Non-Official Bills.

On the 21ST JANUARY non-official bills were taken up. Mr. Charde's High School Education Amendment Bill was referred to a Select Committee by a majority of four votes. The Democratic Party and a few other members voted with officials.

A motion for referring Mr. Fuley's Tenancy Amendment Bill to a Select Committee was lost by seven votes.

Mr. Pradhan's Municipalities Amendment Bill was referred to a Select Committee.

A motion for referring Mr. Kolhe's Village Sanitation and Public Management (repealing) Bill to a Select Committee, was opposed on the ground that there was no strong public opinion in favour of the Bill and that the passing of the bill was unnecessary. The motion for referring it to a Select Committee was carried by a majority of twelve votes.

Messrs. Khaparde's Kale's Jaiswal's and Kalikar's High School Education Amendment Bills were referred to Select Committees without any division.

Rao Bahadur Kelkar's Tenancy Amendment Bill, advocating right of tenants, was subjected to adverse criticism, but it was referred to a Select Committee by an overwhelming majority, 45 non-official members voting in favour of referring the bill to a Select Committee, and 14 members against it.

Seth Thakurdas's Land Revenue Amendment Bill and Mr. Kelkar's Local Self-Government Amendment Bill were circulated for eliciting public opinion.

Mr. Fuley introduced the Workmen's Welfare Bill for affording more facilities to factory hands and workmen.

Mr. Kolhe introduced the Cotton Market Bill. The Council was then adjourned.

On the 22ND JANUARY Mr. Rezvi's Land Revenue Amendment Bill, Mr. Thakurdas' Local Self-Government Bill, Mr. Kale's University Amendment Bill, and Mr. Fuley's Maternity Benefit Bill were circulated for eliciting public opinion.

#### Non-Official Resolutions.

On the 23RD JANUARY non-official resolutions were taken up.

They mostly related to local conditions and grievances of the people of Central Provinces and Berar.

Mr. Rajurkar from Berar recommended that the execution of decrees in which civil courts had ordered selling of immovable properties in Berar, be permanently transferred to the Collector.

Mr. Bole, Swarajist, opposed the resolution and wanted that decrees should be executed through the Civil Courts.

Mr. De, Commissioner of Berar, in the course of his speech, said that the trend of opinion was against the resolution. The bar associations and co-operative banks had expressed themselves against the continuance of execution of decrees through collectors, a process by which only four percent of the cultivators were profited. The resolution was carried, 31 voting for and 23 against, the Swarajists voting with the Government.

#### Revenue Settlement in Narsinghpur.

Mr. Choudhari Doulat Singh recommended that the settlement of such lands as were highly assessed in Narsinghpur district be revised and that the revenues assessed on Malik Makbuza lands be reduced by 40 per cent except on lands that were highly assessed. The Government opposed the resolution, but it was carried, 45 voting for and 16 against.

#### Application of Damdupet Rules to Muslims.

Khan Bahadur Rahman Bey recommended to the Government to move the Government of India for extension of the rule of Damdupet applicable to Berar Hindus, to Berar and C. P. Muslims also.

The Muslim members of the Council supported the resolution while Mr. R. B. Kelkar and the Government opposed the resolution as it was worded.

The Hon'ble Mr. Tambe said that Moulvi Mahomed Yakub was moving a bill in the Legislative Assembly on a similar subject, with much wider scope and if that Bill was ultimately passed, the need for applying the Damdupet rules in the provinces would not arise.

The resolution was passed, 39 voting for and 19 against. The Council then adjourned.

#### Land Revenue Amendment Bill.

On the 24TH JANUARY Mr. Chedilal submitted the report of the select committee on his land revenue amendment bill to the Council. Much heat was imported during a lengthy discussion on the bill which was subsequently withdrawn by the mover when he found strong opposition from all sides of the house charging the house for bringing in considerations not relevant to the discussion.

Seth Thakurdas's resolution recommending appointment of a committee with the Education Minister as Chairman and the Director of Public Instruction as Secretary to draw up a scheme for the removal of illiteracy from this province at an early date, the money for which purpose should be provided

either from provincial revenues or by floating a loan was carried inspite of government opposition, 40 voting for and 11 against.

Mr. Fuley's resolution demanding increment in the special allowance of all piece workers was carried, 33 voting for and 21 against.

Mr. B. K. Patil's resolution asking government to place the Deputy Inspector of Schools under the full control of local bodies was carried, 33 voting for and 26 against.

Mr. Charde, while speaking on the resolution attacked the policy of Mr. Rao for terminating the experiment of transferring the Deputy Inspector of School's service to the district councils. The passing of this resolution is considered as equivalent to passing a vote of no confidence motion in Mr. Rao who was then in charge of education department.

#### Separate Marathi Province.

Mr. Khaparde then moved his resolution recommending Government to take steps to constitute the Marathi tracts of the C. P. and Berar into a separate province. In moving his resolution Mr. Khaparde said he did not desire separation to-day, but he took his stand on the Congress resolution for constituting such a province on linguistic basis. He was sure he was voicing the unanimous opinion of the nation in as much as this demand for constituting linguistic provinces had been supported by the National Congress and the All Parties Convention. Resolutions demanding separation of the C. P. Hindusthani into a separate province had been tabled by many members of this house since long. He solicited support of the house.

Mr. Gupta, leader of the Congress party, in course of a statement on behalf of his party said that his party will not support such resolution if its moving was actuated by provincial jealousies and anti-nationalist motives. His party accepted the principle underlying the resolution if the resolution stood for constituting provinces on linguistic basis but even then they could not support the resolution to-day as the Congress and the All Parties Convention wanted to tackle the question after the Commonwealth of India was established.

Mr. Rao, leader of the democratic party endorsed all that Mr. Gupta had said and added that as Government was bound to forward this resolution to the Statutory Commission with which this house had non co-operated, his party could not support this resolution at this time.

Mr. Fuley appealed to the mover to withdraw his motion as the time was not opportune.

Mr. Golwalkar also thought that the time was ill-opportune. He appealed to bury all their differences and remain united to fight the battle for Swaraj. They must be Indians first.

Messrs. Kale and S. M. Rahaman in supporting the motion said the Congress view that the present political diversions of India came in the way of their national solidarity was also endorsed by them. Mr. Rao's argument that this resolution would go before the Simon Commission did not carry in their opinion any weight.

The house at this stage adjourned till the 26TH JANUARY when further discussion on the resolution was resumed.

Mr. Kedar opposed separation and Mr. Charde made it clear that had the initiative been not taken by the leaders of the C. P. Hindusthani in the matter, the resolution might not have been moved at all. The Hon'ble Mr. Nelson made a lengthy speech thrashing the question in its various aspects and asking the house to consider the question in the light of the facts provided by him. He did not express any opinion as he understood that the discussion was more or less academical.

After Mr. Sharfuddin had supported the resolution Mr. Khaparde replied to the debate and said that he only wanted that a committee be appointed to investigate into the matter. He moved the resolution only in accordance with the resolutions of the Congress and the All Parties Convention that there should be a reconstitution of provinces on linguistic basis and the object of creating bad blood amongst the provinces was far from his mind. He subsequently withdrew his resolution amidst laughter and applause.

Mrs. Anasuyabai Kale then ably moved her resolution according the Council's support to Raishahab Harbilas Sarda's Child Marriage Bill. Seth Mehta opposed the resolution stating that the matter should be left to the care of the respective communities. There was full support from the house and the motion was carried without division.

Mr. Fuley then moved an adjournment motion for seeking Government intervention in the situation created by the Nagpur Municipality by enforcing its new by-laws causing inconvenience to the public, cultivators and buyers. Mr. Gowen, Chief Secretary, told the House that the Government has very recently taken over charge of Transferred Departments and it would soon give its consideration to the matter.

The House then adjourned 'sine die.'

### Financial Statement for 1929-30.

The budget session of the C. P. Legislative Council commenced at Nagpur on the 26TH FEBRUARY 1929, Sir S. M. Chitnavis presiding.

The Hon'ble Mr. Nelson, Finance Member, presented the Budget for 1929-30 which disclosed a surplus of Rs. 48,000. The Government budgeted for revenue of 55,580 lakhs, and an expenditure of 55,52 lakhs. It was thus a surplus budget. Government followed the sound financial maxim of meeting the expenditure of the year from the revenue of the year.

The Finance Member announced that, owing to the failure of crops in some northern districts, he would reduce his demands nearly by Rs. 28,00,000 as an immediate measure of retrenchment. He said that the budget was prepared before the occurrence of the calamity. The cotton crops promised to be a bumper one; but expectations were disappointed by the heavy rain. Thus owing to the caprices of the monsoon, both rice and cotton crops proved below the normal. Rabi prospects had been completely shattered by the untimely climatic conditions. A serious situation had thus arisen, and to cope with it the energies and resources of the Government would be unsparingly given.

Explaining the new expenditure the Finance Member said that last year, owing to various windfalls, Rs. 5,988 lakhs (excluding loans and advance) were provided. This year, Rs. 4,590 lakhs were provided. During the last three years, the Government devoted large sums from the accumulated balances, mainly towards non-recurring expenditure, and now the closing balances reached the normal figure. It was evidence of the soundness of that policy, that the Government were able to provide such a substantial sum for new expenditure. Of the sum thus provided, Rs. 1,733 lakhs would be for expenditure in central and Rs. 2,857 lakhs for expenditure in the divisible account. Rs. 421 lakhs recurring and Rs. 3,602 lakhs non-recurring expenditure were allotted for the reserved departments. Rs. 459 lakhs non-recurring and Rs. 108 lakhs recurring expenditure were allotted to the transferred departments. Both receipts and disbursements had swollen by the inclusion of Rs. 9,630 lakhs transferred from the Famine Relief Fund for repayment of debt once on the receipt side and twice on the expenditure side. Two of the entries merely represented debt adjustments. The third entry showed actual disbursement of the Famine Relief Fund opened in the year with a balance of Rs. 17,789 lakhs as against an anticipated balance of Rs. 17,902 lakhs.

The Finance Member, concluding his speech, said that this year's budget might be said to mark an epoch in the history of provincial finance in that it was based for the first time on complete and final extinction of the Provincial contribution and on reorganisation of the Famine Relief Fund. Revenues were now more adequate to the requirements than they had been in the period that had elapsed since the Reforms. There was yet no evidence that the province was committed to normal revenue, but in financial matters a long view must be taken. The normal tendency of expenditure was always to increase with the increasing complexity of administration: and as avenues for Government activities were opened particularly in departments connected with the welfare of the people, the rate of increase must be accentuated. Infant mortality, leprosy, water-supply, construction and maintenance of roads, veterinary aid, illiteracy of the

masses—these were all matters on which public opinion had in recent years been focussed. The slow expansion of land revenue was retarded by restrictions and postponements. Excise revenue showed signs of decline as a result of the Government's policy and might ultimately be completely extinguished. The normal annual increment which might be put at 8 or 9 lakhs might at any time be required to counter-balance the fall in excise revenue. This inelasticity of revenue was a disquieting feature; and unless some new expanding sources of revenue were found, the pace at which new expenditure had been sanctioned in recent years could not be maintained and a limit would be placed on the development of various lines of beneficial activities.

#### Discussion on Budget.

On the 27TH FEBRUARY Mr. Rajurkar opened the budget discussion, mainly dealing with Berar problems and the provision of inadequate funds.

Mr. Rajendra Sinha dwelt with the failure of crop in Northern districts.

Mr. Fuley's grievance was that no provision was made for housing of Labour and for hospitals for workmen. He urged an increase in the wages of Government press employees, and low-paid Government menial staff.

Mr. Jaiswal characterised the budget as disappointing, because the Famine Insurance Fund was not fully utilised for the purpose it was intended.

On the 28TH FEBRUARY about ten non-official and three official members took part in the discussion. They criticised the Govt. for not exploring the resources as mining and forest for increasing the provincial revenue and effecting retrenchment in the Reserved Departments by abolishing superintending posts and posts of commission and some posts of conservators of forest. They also criticised the Govt. for withholding many new schemes for want of funds. Berar members criticised the Govt. for not making provision for water supply.

Mr. Nelson, Finance Member, replied to the criticism of the general policy and promised to deal with the detailed criticisms when demands for grants will be moved. Mr. Nelson informed the House that old debt was now being repaid to get new loan at low rate of interest. The House then adjourned for lunch.

On reassembling, the Council adopted the report of the Public Accounts Committee without discussion. The House then decided by a majority to take into consideration the C. P. Court of Wards Amendment Bill as amended by the Select Committee. Rao Bahadur Kelkar moved for the deletion of a clause that Provided for according differential treatment to zaminders in scheduled districts and non-scheduled districts.

Messrs. Jaiswal supported the original draft while Mr. Gupta, leader Congress Party supported Rao Bahadur's Amendment. Mr. Kale also supported Mr. Kelkar because he preferred that the investigation regarding extravagance of zamindars should be conducted by judicial authorities.

Mr. Nelson strongly opposed the amendment and considered that if the amendment was carried it would block the passage of the Bill.

The amendment was put to vote and declared lost by 22 votes against 32. Subsequently all other amendments were withdrawn and the Bill was passed into law. The House then adjourned.

#### Demands for Grant.

On the 1ST MARCH demands for grants under twenty heads were made and were all passed without substantial cuts except one of Rs. 25,000 under the head Civil Works (Transfer). The House carried a few token cuts on questions of general policy. The House carried by 31 against 26 votes a censure cut of Re. 1 to express disapproval of delay in transferring public works to local bodies. The House then adjourned.

On the 2ND MARCH Mr. Patel's token cut of one rupee relating to town surveys in Berar under the head "Land Revenue" was discussed at great length, and ultimately it was carried by 37 votes against 20.

Mr. Jaiswal's token cut of one rupee relating survey and settlement, was carried without a division. Mr. Gole's cut amounting to Rs. 22,763 urging the abolition of the post of Deputy Director of Land Records, was carried by 41 votes against 15.

Mr. Gole's token cut criticising the way in which enhanced land revenue was recovered, was carried by 29 votes against 17.

Mr. Chaudhuri Daulat Singh's cut amounting to Rs. 18,000 for reduction in travelling allowances in the Land Record Department, was carried by 31 votes against 16.

Mr. Deshmukh of Jarud raised discussion on Government's general land revenue policy by proposing a cut of Rs. 100. He warned the Government that if they did not mend their policy, they will have another Bardoli in C. P. Members from Jubbulpore division narrated woeful tale of peasants caused by the failure of crops by frost. Hon'ble Mr. Nelson assured the House that Government was very sympathetic and would do its best to ameliorate the condition of famine-stricken peasants. The House then adjourned till 4th March.

#### Government's Excise Policy Condemned.

On the 4TH MARCH demands under the head "Excise" (transferred) were taken up. Mr. Kalikar's token cut of one rupee urging the abolition of the post of the Distillery Expert, and stating that the Excise Department had made no progress towards total prohibition, was carried, 34 for and 17 against.

Mr. Jaiswal complimented the Excise Department on the progress shown, but supported the cut, appealing to the Government to pursue the policy of total prohibition more effectively. The Government Member congratulated Mr. Jaiswal on the reasonable attitude.

Mr. Kolhe's token cut advising the Governor to select Indians as his Private Secretary, and A. D. Cs was withdrawn on the assurance given by the Government that the wishes of the House would be communicated to the proper quarter.

A token cut urging the creation of a separate office for the President, and allotting more days for non-official work, was lost without any division.

#### Recruitment to Subordinate Services.

On the 5TH MARCH Non-official members effected a number of minor cuts relating to district establishment and subdivisional establishment.

Mr. Rama Rao Deshmukh moved a cut Rs. 100 recommending the institution of competitive examinations for recruitment to the subordinate services with safeguards to all communities with a view to fair distribution and with a view to avoid special patronage to any particular community. There was some opposition from the non-official members, but the motion was declared carried by 34 votes against 16.

#### Ministers' Salaries Opposed.

Interest then centred round the Ministers' salaries. Mr. Kelkar, Swarajist, opposed the grant on principle, and added that the Government was not justified in pressing the demand as there were no indications of a stable and successful Ministry. He said that no ministry should be appointed without the approval of the personnel of the Ministry by the Council, and persons who resigned to avoid debates on "no confidence" motions should never be selected for Ministerships. Mr. Gole and Mr. Khare supported the opposition. The motion was declared lost by 42 votes against 17.

#### Additional Judicial Commissionership.

Token cuts protesting against the recent appointment of an additional judicial commissioner and particularly the supersession of Rao Bahadur Cinkhure by Mr. MacNair, were discussed, and carried without a division.

Mr. Namdeo Rao's cut amounting to one lakh, to observe economy by securing the services of sub-judges on a lower scale of pay, was lost.

On the 6TH MARCH Mr. Pradhan's token cut urging the necessity for the establishment of a Bar Council in O. P. and Berar, and of enrolling first grade pleaders as advocates, was carried by 41 votes against 13.

Mrs. Anasuya Bai Kale's token cut urging the provision of a Central Jail, was declared carried without a division.

On the 7TH MARCH Mr. Pradhan's token cut regarding the necessity for providing housing accommodation for the Hindi Sangh School, Nagpur, was carried without a division.

Mr. Eulay's token cut criticising the small grant to the Depressed classes was carried by 28 votes against 18. The majority of the depressed classes members for whose benefit the motion was intended, surprisingly voted with the Government.

Mrs. Anasuyabhai Kale's token cut criticising the Government policy in the matter of education of girls was carried without a division.

The Council then adjourned *Sine die*.

# The B. & O. Legislative Council.

The winter session of the Bihar and Orissa Legislative Council opened at Patna on the 4TH FEBRUARY 1929 with the Hon'ble Khan Bahadur Kuwaja Mahomed Noor as President. After the transaction of formal business the Council discussed non-official resolutions.

## State Management of B. N. W. Railway.

Rai Bahadur Dwarakanath moved a resolution urging that the Bengal North-Western Railway should be managed by the State after the expiry of the lease in 1932. The mover pointed out the "unsatisfactory" nature of the management of the railway by the Company and detailed many grievances of the Indian public. The powers and activities of the Railway Advisory Committee were much restricted, and the Committee were precluded from discussing important questions like railway accidents and strikes. He considered that the only remedy to improve the working of the railway was that the Government should take over the management.

The Raja of Kanika, Government member, replied that the railway administration being a central subject, the Government could only make a recommendation. The Local Government would forward the proceedings of the debate to the Government of India.

Mr. Sri Kishen Singh, leader of the Swaraj Party, asserted that the Bengal North-Western Railway Company were callous to the public interest. The railway was a concern which, in his opinion, must be managed by the State which was subject to public criticism and would pay more attention to public interests. He complained of corruption among the railway employees and of their scanty pay.

The resolution for making it a State-managed railway was ultimately adopted.

## Oriya Amalgamation.

Mr. Misra withdrew his resolution urging the appointment of a committee to examine the Government Financial experts' report relating to revenue and expenditure of the Ganjam district with a view to amalgamation of Oriya speaking tracts, on an assurance given by the Raja of Kanika, Government member, that the House would be given an opportunity to discuss and ascertain figures from the Financial expert.

## Help to Khadi Movement.

Another resolution, asking the Government to start the manufacture and sale of khadi and spending Rs. 1,00,000 for the purpose was under discussion when the Council adjourned.

On the 5TH FEBRUARY the Council devoted practically the whole day to the discussion of the khadi resolution. Mr. Ansorge, Secretary to the Industries Department, opposed the resolution. He pointed out that no industry could exist on sentiment alone. As an economic proposition khadi had no possibility as a means of providing reasonable living wages to the spinners, and could not compete with machines. He quoted the Government Textile Expert on the point, and stated that a hand-spinner, working ten hours a day at the charka, could only produce yarn worth one anna. That was a very poor return for his labour. The Government would therefore not be justified in spending money on this, when funds were required for better purposes.

Mr. Krishna Ballabh Sahay (Swarajist), supporting the motion, said that the agricultural population had to sit idle for the greater portion of their time, and they had to provide some subsidiary industry for this population. The introduction of khadi would help towards reducing the poverty the people, and providing them with some means of subsistence.

Mr. Dwarka Nath drew the Government's attention to the experiment made by the Mysore State in encouraging the manufacture of khadi and urged that a similar experiment be tried here.

Mr. Aziz said that it was not clear how the money asked was to be utilised, and he considered it dangerous to ask the Government to become a competitor in the khadi market. After further discussion, the resolution was rejected.

## Proposal for Industries Survey.

Mr. Abdul Ghani moved a resolution asking the Government to carry out an industrial survey of the province to encourage local industries.

The mover pointed out that the United Provinces Government had already carried out such a survey, and complained that the Department of Industries had shown no initiative in developing smaller industries.

Mr. Anson, Industries Secretary, replied that cottage industries and other allied industries were receiving their attention and the Government were trying to improve them as far as possible. An industrial survey was intended to collect data only, and was not intended for the development of industries. He doubted if the result of an industrial survey would be commensurate with the expenses involved.

Discussion had not concluded when the Council adjourned.

On the 6TH FEBRUARY the resolution regarding survey was withdrawn on an assurance given by the Government that the proposal of an industrial survey regarding the possibility of the development of specific industries would receive the sympathetic consideration of the Government on opinions being received from the Industries Board.

#### Urdu as Court Script.

Mr. Brij Raj Krishna moved a resolution asking the Government to place before the Council the opinions received on the subject of introduction of Urdu as an optional court script and to postpone action on it till the Council had considered those opinions and reaffirmed its last decision on the subject.

The mover refrained from discussing the merits of the Urdu script and urged that the Government should take the Council into confidence by placing before them the opinion received on the subject. It would be very unfair if the Government opposed the resolution and such an attitude, he pointed out, would savour of a policy of 'divide and rule.' It was also possible that a compromise might be arrived at between the Hindus and Muslims on the matter.

Mr. Abdul Wahab Khan and Mr. Mubarak Ali, on behalf of the Mahomedans, stated that the Council was already committed to the Urdu script by its last decision. They expected the majority community to be generous to the Muslim minority. Even the Nehru Report had recognized the Urdu script.

Mr. Sifton, on behalf of the Government, observed that they were never enamoured of multiplying the number of scripts. But the resolution involved an important matter of principle and the Government were compelled to oppose the resolution. It was against the practice to reconsider or reaffirm a decision once taken by the Council. The Government could not be a party to this kind of innovation.

The Judicial Secretary said that the Government could not place the correspondence before the Council, as they were documents of a confidential nature. He, however, gave the substance of some of the opinions received.

Mr. Devaki Prasad Sinha charged the Government with inconsistency and thought that the wisest course for the Government would be to place all the views before the Council and give them an opportunity to take a mature decision on the subject.

The voting resulted in a tie and the resolution was negatived by the casting vote of the President.

#### Franchises to Women.

A lively discussion then took place on Pandit Godavaris Misra's resolution for extending the franchise to women. The ladies' gallery was crowded. The mover and his many supporters, including Rai Bahadur Dwarka Nath, Mr. Owen and Mr. Niran Narayan Singh, pointed out that women were now advancing and the time had come when this elementary right should no longer be withheld from them.

Sir Ganesh Datta Singh (Minister for Local Self-Government) and the Mahomedan members opposed the resolution. The resolution was carried by 47 votes against 14.

#### Chota Nagpur Tenancy Bill.

On the 7TH FEBRUARY the Council passed a number of supplementary demands and considered the Chota Nagpur Tenancy (Amendment) Bill, as it emerged from the select committee. The Bill was designed to facilitate the acquisition of land for mining purposes with a view to the development of the mining industry.

Mr. Gunendra Nath Roy complained that some members of the select committee had no opportunity to discuss the Bill fully and moved that the Bill be recommitted to the committee.

Mr. Jimut Bahan Sen pointed out that the interests vitally affected by the measure had not been consulted and moved that the Bill be re circulated for further opinion.

The Government member in charge of the Bill replied that the Bill was fully discussed by the select committee and all people concerned were consulted.

Division being called, both the motions were rejected.

The Council then proceeded to consider the Bill clause by clause and a few amendments moved by Mr. Gunendra Nath Roy were defeated.

The discussion on the Bill was not concluded when the Council adjourned.



On the 8TH FEBRUARY a number of amendments moved by Mr. Gunendra Nath Roy were rejected after discussion.

An amendment moved by Mr. Amrit Lal Ojha, member for the Mining Federation, that no acquisition of any land would be so authorized unless the land was comprised within the area within the corresponding underground limits of which the mine proposed to be benefited was situated, was carried after discussion.

Two other amendments were effected, one exempting the acquisition of a holding on which a temple, mosque or other place of worship existed. The third reading of the Bill was taken up in March. The Council adjourned till the 11th.

### Budget for 1929-30.

On the 11TH FEBRUARY introducing the budget for 1929-30 in the Council the Raja of Kanika, Finance Member, said that they expected to close this year and open the next with an ordinary balance of Rs. 1,03,62,000 and balance in famine relief fund amounting to Rs. 57,10,000. As regards the next year's revenue the most important factors were land revenue, excise and stamps, which together accounted for over 4 and half crores out of a total revenue of 5 and three-fourth crores. The total anticipated revenue was Rs. 5,84,81,000 as compared with the current budget figure of Rs. 5,74,37,000. The total expenditure chargeable to the revenue of 1929-30 was Rs. 5,72,03,000. Financial stability depended on the relation between revenue and expenditure chargeable to revenue and the Finance Member pointed to the balance of nearly 6 lakhs on the right side.

Being relieved from further instalments of loan repayment and assignments for the famine fund, Government proposed to incur new recurring expenditure amounting to Rs. 2,31,000 next year. Of the money now withdrawn from the famine relief balance of Rs. 57,10,000, eight lakhs would be used for ordinary non-recurring expenditure, and Rs. 10,86,000 as loans to District Boards. As regard new schemes, education would get Rs. 21,000 recurring and Rs. 4,21,000 non-recurring; while the medical department would get Rs. 19,000 recurring and Rs. 1,01,000 non-recurring, and Public Health Rs. 2,000 recurring and Rs. 7,89,000 non-recurring.

The Finance Member hoped that the Simon Commission would be able to devise some system of financial settlement that would be equitable to Bihar and which would give them what was denied by the present settlement—a reasonable chance of development.

### Discussion of Budget.

The Council re-assembled on the 21ST FEBRUARY for the general discussion of Budget. Chaudhari Bhagat Prasad Samantrai Mahapatra urged for adoption of adequate measures for the prevention of Orissa floods.

Mr. Mobarak Ali criticised the policy of the Government to utilise the surplus from the famine relief fund for recurring or non-recurring expenditure and suggested that Government should have built a reserve fund out of this surplus for urgent future needs of the province. He pointed out that though the masses had been saddled with heavy taxation there was no adequate provision made for education and sanitation. Mr. Ram-charitra Singh attacked the excise policy of Government and pointed out that it was unfair to the province that it did not get its adequate share of the tax from companies which were working mines and minerals in the province but had their headquarters outside the province. He suggested the Government should in the present financial position resort to the strictest possible retrenchment.

Mr. Amrit Lal Ojha pointed out that the only remedy to improve the financial position was to develop the industry and trade of the province and tap the mineral resources. At this stage without State aid they could not develop industries.

Sir Ganesh Dutta Singh, Minister for Excise, replying said that the decline in excise revenue showed that the Government were putting restrictions on consumption. It was for public leaders to use their influence to persuade the people to become sober and eliminate the excise revenue.

Sir Fakhruddin, Education Minister, replied to the criticisms regarding his departments. He urged the claims of primary education but he could not get money from the Finance Department as no funds were available.

Mr. Tallents, Financial Secretary, winding up the debate explained that it was not a surplus budget but a deficit budget, the deficit being Rs. 49 lakhs and 2 thousand. As regards taxation of mineral resources from which the province derived no benefit he pointed out that the Government had made an emphatic protest against it before the Simon Commission. At this stage the Council adjourned till the 26th February.

## Religious Endowments Bill.

On the 25TH FEBRUARY much public interest was aroused in the Council over the Hindu Charitable and Religious Endowments Bill. Mr. Godavaris Misra, member in charge of the Bill, moving its reference to a select committee, explained that the Bill only aimed at a fair amount of control over the administration of the finances of *maths* and temples and proper utilization of the surplus for approved purposes. It did not propose to interfere in any way with the religious rites and practices of *maths* and temples. He pointed out the defects in the existing Religious Endowments Act in so far as the controlling machinery was ineffective. He suggested the formation of central boards and district committees to control efficiently the affairs of endowments. State control of these endowments was not a new policy. Under Hindu rulers, religious endowments were under State control and the East India Company also took control of Hindu endowments and undertook management of important institutions.

Mr. Nirsu Narayan Singh, supporting the motion, made a serious allegation against the agent of a *math* who had approached him and offered him a fee for opposing the Bill and deprecate such attempts. He asked the Government not to stand in their way in reforming their religious institutions.

Mr. Brij Raj Krishna said that the opposition against the Bill was only from interested persons.

Dewan Bahadur Sri Krishna Mahapatra pointed out that the affairs of religious endowments in Orissa were thoroughly mismanaged.

The discussion was not concluded when the Council adjourned. The Council also passed the Chota Nagpur Tenure-holders' Rent Account Bill in its modified form.

On the 26TH FEBRUARY there was an angry scene when Mr. Chandreshwar Prasad Narayan Sinha, a landlord member, in opposing the Endowment Bill attempted to attribute motives to another member who was absent from the House. The Council, particularly the Swarajist benches, shouted 'Withdraw the remark,' 'shame,' 'coward,' Etc. The President also intervened and asked the member to withdraw the remark, as it was unfair to the member who was not present to offer his explanation. For full three minutes these angry shouts were repeated by the Swarajist and Independent benches till the member concerned had withdrawn the offending remark.

The members supporting the Bill were Rai Bahadur Dwarka Nath, and Mr. Devaki Prasad Sinha, who pointed out that the present machinery was ineffective and out of date and urged legislation to remedy the present state of affairs.

Mr. Amrit Lal Ojha, Mr. Rajandhar Singh and others, opposing the Bill, regarded it as a challenge to the religious order and pointed out that there should be reform from within in religious matters and not by legislation.

Sir Mohamed Fakhruddin, Minister, on behalf of the Government, delivered a long speech, pointing out the Government policy of non-interference in religious matters. He stated that the Hindu public would object to the management of religious endowments by a secular Government. If the present legal machinery was ineffective, the Government would review the whole question. He offered to appoint a committee on the lines of the U. P. Government's committee to advise what steps should be taken for the better administration of religious endowments.

Mr. Sri Kishen Singh, leader of the Swaraj party, repudiated the suggestion that the Bill was an attempt on the part of the Swaraj party to utilize the endowments for political purposes. He pointed out that there was a volume of public opinion behind the Bill and the Minister, recognizing it had offered a committee.

On the assurance given by the Minister the Bill was withdrawn.

## Patna University Bill Lost.

On the 27TH FEBRUARY the Council discussed Mr. Baldeva Sahay's motion for reference of the Patna University Act (Amendment) Bill to a select committee.

The mover explained that his Bill did not propose any new principle. It was an essential instrument to make the Patna University a teaching University, as contemplated by the University Act. He traced the history of the question and pointed out that his scheme conformed to the object of the Nathan Committee, which suggested the establishment of a teaching University. He demanded for the University the power to appoint teachers and the power of the purse and the sanctioning and veto of resolutions were left to the Government. He repudiated the suggestion that the Bill would cause jealousy between the external and internal colleges. He should like to introduce self-Government in the University and create a body of professors who would freely discharge the sacred duty of direction of education.

Sir Mahomed Fakhruddin, Minister for Education, opposing the motion quoted extensively from the opinions received on the Bill. He pointed out that three members of the governing body of the Patna College were of opinion that it was a fundamentally wrong principle that the Government in the transferred department should abdicate its control over the University, so long as it gave funds to the University. Other opinions, particularly those of the external colleges, were against the principles of the Bill. It gave large representation to non-teacher elements. The external colleges were afraid that they would suffer if the Bill were passed. The Senate of the Patna University had also disapproved of the provisions of the Bill.

He then stated at length the difficulties attending the Bill. He pointed out that any scheme of a reconstruction of the University must accord equal treatment to external and internal colleges.

Sir Sultan Ahmed, Vice-Chancellor of the Patna University, accused the Government of dilatoriness in moving in the matter of University reform. On behalf of the University he disapproved of the Bill. He pointed out that the proposals contained in the Bill differed fundamentally from the University scheme of 1925. His main objections were against the proposal that the Minister of Education should be the Chancellor instead of the Governor and that the appointment of the Vice-Chancellor should be by election.

He thought that the former proposal of Minister-Chancellor would introduce a political element into the Government of the University. By turning down the Philwari scheme they had dealt a death blow to the prospects of having a teaching University in the province. He made four constructive suggestions for reforming the University and he thought that if those suggestions were accepted by the Government, a large section of the people would be satisfied. The first was the appointment of teachers by the University through a selection board; the second was the constitution of a central board; the third the creation of a University Service and the fourth fixing the statutory number of teachers and non-teachers on the Syndicate.

Rai Bahadur Dwaika Nath complained that the Minister was following a policy of drift and the Government were shirking their duty in the matter of University reform.

Prof Parija, an expert member, voiced the feelings of external colleges and characterised the Bill as a machinery of friction. He said from his knowledge of other universities of the type suggested, that larger sums would be devoted to internal colleges and the external colleges would greatly suffer on that score.

At this stage closure was moved and passed against Swarajist opposition and, as the mover of the Bill could not get sufficient time to reply to the debate, all the Swarajist members walked out as a protest. The motion for reference of the Bill to a select committee was put to vote and rejected.

#### Voting on Budget Demands.

On the 5TH MARCH the Council criticized the excise policy of the Government by moving a token cut of Rs 100 in the 'Excise' demand.

Mr. Satnarayan Singh, Swarajist, who moved the cut, characterized excise as a tainted source of revenue, as it was derived from the vices of the people. He complained that the Government had so far done nothing towards the goal of prohibition.

Mr. Krishna Ballabh Sahay (Swarajist), supporting the cut, suggested the levy of additional taxation on landlords to replace the excise revenue.

Rai Dwaika Nath Bahadur accused the Government of taking no steps to minimise the drink evil.

The Excise Minister replied that the Government were honestly and energetically following the policy of minimum consumption with maximum revenue. He complained that the financial aspect of the question was always lost sight of. The province depended largely on excise revenue and if excise revenue disappeared the province would also disappear. The cut was rejected by 45 votes to 31.

After discussing some other token cuts the Council voted the whole 'Excise' demand.

On the 6TH MARCH proposing a token cut of Rs. 100 in the Forest demand Mr. Ramcharitra Singh (Swarajist), discussed the issue of Indianization of the forest service and urged that by giving suitable training Biharis should be enabled to man the service in future.

The Revenue Secretary replied that the policy regarding the imperial services rested entirely with the Government of India and the Secretary of State. He showed that there had been a rapid progress in Indianisation of the services. During the last five years, out of the five officers recruited, there was not a single European.

The cut was rejected. The Council then voted the Forest and Registration demands.

The Opposition carried a nominal cut of Rs. 100 in the Irrigation demand in spite of Government opposition.

## Censure Motion on Minister.

On the 7TH MARCH considerable interest was aroused by the Swarajist motion disapproving of the policy of Mr. Ganesh Dutta Singh, Minister for Local Self-Government, in superseding the Gaya District Board.

Before the discussion of the motion began Thakur Ramnandan Singh (Swarajist) suggested that it would be better if the President do not preside over the day's proceedings as they had also to criticise the President.

The President ruled that the members could not criticise the conduct of the President on extraneous issues. He said that if they wanted to attack the President they could do so on a proper and definite motion and that he would be glad to give them such an opportunity if they wished.

Mr. Sri Krishna Singh, Leader of the Swaraj Party, then moved the following motion: "This Council disapproves of the policy of the Minister of Local Self-Government in superseding the Gaya District Board." The Minister, in superseding the Gaya District Board, the mover said, abused the powers given him by statute, not to advance the well being of the people of the Gaya District, but to feed fat on a personal grudge he bore towards the Chairman of the superseded Board and in so doing, he not only deprived the people of the right they undoubtedly possessed of conducting their affairs to the limited extent allowed by the Local Government Act, but also set a dangerous precedent which put a premium on irresponsibility.

The Minister ordered inquiries into certain alleged complaints about the administration of the Board on the basis of some anonymous petitions, the authors of which could not be traced and gave the Board no opportunity to explain matters.

He stated that the auditor's figures regarding the financial position of the Board were highly exaggerated and were made, he alleged, to suit the Minister's wishes. If the Chairman had been given an opportunity he would have offered an explanation which would have satisfied all honest, fair-minded persons, but being deprived of that opportunity the Chairman issued a Press statement explaining the whole position.

The auditor's report on which the Government principally relied for the order of supersession, was a thoroughly bad, discredited and a discreditable document.

Mr. Owen of the Local Self-Government Department, in replying, observed that a censure motion was usually directed against the policy of a Minister, but the mover failed to mention anything about the question of policy of Minister. He gave the history of the financial operations of the Board and pointed out that the Board's surplus dwindled from Rs. 2 and one-fourth lakhs to Rs. half lakh.

In spite of warnings it went on overbudgeting and overspending. The Board had two years' opportunity to set matters right but it shirked its responsibility.

The discussion of the motion was not concluded when the Council adjourned.

On the 8TH MARCH Mr. Ram Charitra Singh (Swarajist), supporting the motion said that the Minister had betrayed the trust reposed in him by the people and the supersession of the board had been ordered on insufficient grounds.

Mr. Heycock (Commissioner of the Patna Division) explained how the inquiry into the allegations of inefficiency against the board was conducted. It was made on the basis of petitions received making serious allegations. It did not matter what the source of these petitions was. The allegations were of such a serious nature that it was essential that an inquiry should be made. The District Magistrate himself had pointed out several irregularities in the administration of the board.

Mr. Heycock stressed the fact that the financial position of the board was very unsatisfactory and it had become bankrupt. The method adopted by it for financing contractors by private arrangement through a bank was bad. He considered that the only alternative for putting the board on a sound working basis was to supersede it.

Sir Ganesh Dutta Singh (Minister for Local Self-Government) made a long speech dealing with the total breakdown of the Board's finances and maladministration.

The motion was rejected by 56 votes to 36.

## Memorandum to Commission.

On the 18TH MARCH the Swarajists moved a token cut of Rs. 100 in the provision for the Executive Council to censure the Government in connection with their report on the working of the Reforms.

Mr. Krishna Ballabha Sahay, initiating the discussion, condemned the Government for four reasons. The report was unjust to the Ministers; it was unfair to the Legislative Council; it was untrue and vindictive; remarks were made therein on the working of local bodies and the public life of these provinces. The report stated that dyarchy worked well, the Ministers having no friction with the other side of the Government.

The speaker contended that such remarks were deceptive as they knew the circumstances under which the Ministers worked. He could not understand how the report stated that the Legislative Council unduly interfered with the executive work of the Government. The Government in the resolutions had appreciated the work of local bodies, but the report characterized them as incompetent. He saw in this an attempt by the Government to show the unfitness of Indians for the parliamentary form of government. He criticized the use of the expression in the report, 'professional politicians'.

Mr. Sifton, replying on behalf of the Government, said that the mover had not substantiated the remarks which he attributed had been mentioned in the report. The circumstances in which the report was written were these :—The Government of India required the local Government to give a three years' resume of the working of the Reforms, the existing constitution being in an experimental stage. The local Government, therefore, invited the opinions of local officers having knowledge of the internal administration of the province and submitted the report in April 1927, on three years' working. The Ministers were also given an opportunity to express their views. He quoted instances of the Council's interference with the executive administration. He quoted a non-official member who pointed out the other day the corruption and mismanagement in local bodies, urging their supersession. He made clear that it was never the intention of the Government to use the expression 'professional politicians' with reference to the Swaraj party.

The debate was continued on the next day, the 19TH MARCH when the motion was rejected. The Executive Council motion was thus carried.

Mr. Ram Charitra Singh (Swarajist), next moved the total omission of the provision for the Ministers' salaries, his object being to scrap dyarchy which had been a failure according to the Congress mandate. The Government members replied that the Ministers under dyarchy had done a lot for the well-being of the province. The motion was negatived.

The Council eliminated Rs. 200 in the demand under General Administration on the ground of the members' grievances regarding their travelling allowance and also of Council clerks.

The Swarajists suffered a defeat in their intention of eliminating Rs. 1,002 which was provided as allowance to the clerk assisting the provincial Simon Committee as being unacceptable to the people.

On the 20TH MARCH the Council carried a token cut of Rs. 100 in the provision for Civil Secretariat to urge revision of pay of the Ministerial officers.

Under a token cut in the provision for the board of revenue the Swarajists urged a change in the present physician on the personal staff of Maharani Bettiah as he will not be able to remove her insanity. Government stated that the suitability or otherwise of the present physician will be considered. The cut motion was withdrawn.

The Council then voted general administration demand less Rs. 300 and the entire demands for administration of justice and jails. The Swarajists effected a cut of Rs. 100 on police demand as a protest against interference of religious practices of constables, one constable being discharged for putting religious mark on the forehead. The Inspector General of Police replied that the constable broke the establishment practice and deliberately flouted the orders of the Superintendent.

#### Debate on Police Budget.

On the 21ST MARCH the Council disposed of three Government business and resumed discussion on the Police Budget. Mr. Gubbay's motion for the construction of the Ramgarh bridge was carried on his assuring the House as suggested by B. Krishna Ballabh Sahay that he would place the project before the Standing Committee on Public works. The supplementary demands were also all adopted but not before division had taken place on Rai Braj Rajkrishna's motion that the demand for meeting the travelling allowance of members of the Provincial Simon Committee be rejected. The result was as usual—the Swarajists were defeated. Rai Braj Raj also raised debate on the demand for travelling allowances for two Deputy Magistrates who have been appointed to train the Union Boards. His contention was that the two officers ought to be placed under the Ministry and Local Self-Government and not under the Executive Council. But he was told by Mr. Owen the Secretary for Local Self-Government that the principle though wholesome could not be carried to its logical conclusion because even to-day the District Magistrate and the Commissioner who were not under the Ministers could inspect the local bodies. The motion was negatived. When the demand for meeting the expenditure for Palganj (Hazaribagh) was placed before the Council, Mr. Krishna Ballabh Singh narrated how the case of bad livelihood which was started against the Raja of Palganj was withdrawn when the judgment convicting him was about to be given on the consideration that the Raja should

appoint as Manager an European who was the father-in-law of an ex-Deputy Commissioner, had no Zemindari experience and who had lost heavily in mica business. Government could not refute the allegation. With regard to the demand for the Deogarh conspiracy case it was pointed out by Government that though they had written to Bengal Government for contribution they had received a reply in the negative and that the sum of Rs. 50,000 which they received from the Central Government was all the help they got from outside.

#### Chota Nagpur Tenancy Amend. Bill.

The Chota Nagpur Tenancy Amendment Bill which had been dropped by Government perhaps in a huff on the 8th February on account of several defeats which they sustained during consideration which had practically changed the complexion of the Bill was taken into consideration and finally passed but not before Mr. Krishna Ballabh Sahay, Mr. Jimutbahadur Sen, Mr. Ramcharitra Singh and B. Dewaki Prasad Sinha had objected its being taken into consideration on the ground that notice of the motion had been handed over to the members only on the 19th, not even seven clear days before the discussion was actually to take place. The President however pointed out that the consideration of the Bill was only being continued and that no notice was necessary. He ruled out of order the objection that the Hon'ble Mr. Sifton had dropped the Bill having refused to move the motions standing in his name on the former occasion. Mr. Jimutbahadur's motion that the Bill be postponed was defeated and the Bill was passed.

On the 22ND MARCH the Council voted the 'Police' demand less Rs. 200 under a token cut.

A long discussion was raised criticising the administration of the Salvation Army settlement and asserting that suitable facilities were not provided to the Muslim and Hindu inmates of the settlement for their religious practices.

The Government assured the House that suitable arrangements would be made for the enjoyment of religious practices of the communities concerned. The cut was then rejected.

The 'Education' demand was being discussed when the Council adjourned.

On the 23RD MARCH under a token cut of Rs. 100 under the 'Education' demand a discussion was raised in the Council over the report of the Sanskrit Education Committee. The Hindu members urged the adoption of the committee's recommendation for the establishment of a Sanskrit college at Patna and the development of Sanskrit education generally.

The Minister of Education assured the House that it was his earnest desire to keep alive the Oriental languages, Sanskrit and Arabic, and he was doing his best towards that end. Any workable scheme for the establishment of a Sanskrit college would receive his careful consideration.

In view of this assurance the cut was withdrawn. The guillotine was then applied and all the remaining budget demands were voted.

The Council was then prorogued.

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# The Assam Legislative Council.

The Budget session of the Assam Council opened at Shillong on the 4TH MARCH 1929 before a thinly attended house. After His Excellency's opening address Mr. Palesh Lal Shome brought in an adjournment motion. The motion of adjournment was to discuss a matter of public importance, namely the obstruction put to the entrance of certain members of the House into the Council Chamber when the Simon Commission was holding its sittings therein. The President calling upon the mover to explain the urgency and public importance of the motion, Mr. Shome stated that it was regrettable that some members of the committee appointed by this House to co-operate with the Simon Commission, when coming to the Council House to deliberate with the Commission, were obstructed at the entrance by police stationed at the gate and one member was actually forced to return. It was a serious matter affecting the honour and dignity of the House and an infringement of the rights of the members of the Council and he had taken the earliest opportunity of bringing the matter up.

The Hon. Khan Bahadur Kutubuddin Ahmed, Judicial Member protested against the motion and the Hon'ble Sir Syed Saadulla, Education Minister stated that the members who were said to have been obstructed were not present and the motion should not be discussed on unauthoritative newspaper reports.

Mr. Brajendra Narayan Choudhury stated that replies to questions might be put on by Government till the last day and there was no guarantee that replies would satisfy the House, so that the House might not have any opportunity of discussing the matter later on and the same thing might be repeated every day even now.

Mr. Gopendra Lal Das Choudhury, Deputy President stated that the notice of questions by one member does not take away that right of other members to bring in an adjournment motion and if the Chief Secretary wanted to pacify the House he might make a statement now.

Sr. Nabin Chandra Bardoloi said that it was a very serious matter affecting the rights of members and it should be discussed now, so that such events and indignities might not happen again to-morrow, or the day after.

The Hon'ble President Mr. Abdul Hamid stated that the question whether the matter was a subject again of an interpolation and whether members concerned were present or not, did not affect the motion, but he was of opinion that the Hon'ble Member giving notice of the motion might have brought in a resolution on the question. The President when thought that the matter was not an urgent one disallowed the motion.

The Hon'ble Mr. Botham, Finance Member, then introduced the budget and the other members of Government explained it with reference to their respective departments.

Presenting the budget the Hon'ble Mr. A. W. Botham pointed out that the revised estimates left Assam with the prospect of a closing balance of Rs 73 and half lakhs.

## Non-official Resolutions.

On the 5TH MARCH non-official resolutions were discussed in the council. One recommending the use of steel and iron of Indian manufacture for buildings and bridges etc., provided they are of sufficiently good quality and their price reasonable, was accepted.

Another resolution recommended purchase of Khaddar only for Government's requirements of clothing.

The Hon'ble Mr. Botham opposing said that for uniforms Khaddar was not suitable and dyed Khaddar would be more expensive than drill. But if samples were sent and their quality found suitable and price reasonable, they would have the opportunity of being tried. The resolution was carried by 16 votes against 13.

## Opium Passes in Assam.

On the 6TH MARCH Mr. Rohini Kumar Chowdhury obtained leave to move an adjournment motion to discuss the action of Gauhati Excise officials issuing a large number of new passes to opium consumers, thus directly contravening the policy of the Council as laid down before and the assurances that the Government

gave through the Hon'ble Mr. Nichols Roy, Minister, not to issue new passes. The President fixed 11th March for discussion.

#### The Goalpara Tenancy Bill.

The Goalpara Tenancy Bill was next taken up for consideration. Mr. Paresh Lal Shome's amendment for obtaining the Council's previous approval for issuing notifications under the Act was carried despite strong Government opposition. But his amendment to include cultivation of tea within the definition of agriculture was lost. Another amendment making money rent payable in four instalments instead of two was passed. The Government amendment providing for registration fees amounting to twice the rent in case of division of holdings was passed without opposition from the tenants' representatives.

On the 7TH MARCH the Council further considered the Goalpara Tenancy Bill. Mr. Pareshlal Shome's amendment regarding the inclusion of temporary settled areas within the Tenancy Act was rejected. The supporters of the amendment contended that tenancy law regarding temporary settled areas should comprise the entire province and bring it into line with the permanent settled areas.

The efforts of the Congress members headed by Messrs. Nabin Chandra Bardoloi and Paresh Lal Shome were successful in effecting a compromise on the question of Landlords' transfer fee on occupancy holdings which on Mr. Brojendra Narayan Choudhury's motion was fixed with all parties' consent at 10 percent of the market value or three times the annual rent whichever greater. The provision for the recovery of rent by summary procedure though rejected by the Select Committee was adopted on the Govt. motion, Congress and Tenants' party opposing.

#### Issue of Opium Passes.

On the 11TH MARCH Mr. Rohini Kumar Choudhury's adjournment motion protesting against the issue of opium passes in direct contravention of the policy of rationing and registration of opium-eaters was moved before crowded galleries. The Excise Minister Rev. Nichols Roy contended that in order to win over the habituals from the smugglers these new issues were necessary and referred to the proceedings of the Excise Advisory Committee. But two members of the said Committee Messrs. Bipin Chandra Ghosh and Bishnu Charan Borah stated that the Advisory Committee's recommendations were not strictly followed and supported the motion. The Swarajist leader, Mr. Nabin Chandra Bardoloi and Mr. Kuladhar Chaliha strongly condemned the department. Col. Smiles also joined in the condemnation.

Mr. Botham, Finance Member, argued that in Burma even ten years after the introduction of the rationing system new passes had to be issued.

The motion was then put and lost by 23 against 18 votes.

#### Discussion of Budget

The general discussion of the budget then commenced. Mr. Brojendra Narayan Choudhury, Swarajist, pointed out that Assam's contribution to the Tea export duty, now abolished, was about 32 lakhs. In its place tea now paid an income tax. The total income tax receipts in Assam were 22 lakhs. He suggested the levy of a new tax on tea and hoped that the planters would not object to it.

Mr. Kameswar Das, Swarajist, considered the provision for primary education, public health and communication inadequate.

Colonel Smiles criticised the inadequate provision for the Public Health Department, stating that excluding the temporary provision for Kala-zar, the expenditure compared unfavourably with that of the other provinces. He also stated that the money provided for the civil hospital, Shillong would be better spent from the Public Health Department as this would benefit the whole province, and not only one particular town.

Mr. Witherington considered the budget as comprehensively good, but criticised the smallness of the sum taken on loan, viz. one lakh for the first year's Road Board programme, and felt the necessity for a larger loan as Assam was carrying for the improvement of roads.



Mr. Roffey criticised the delay in the disposal of suits and urged the appointment of more judges.

On the 12TH MARCH Mr. Gopendralal Das Choudhury, Dy. President, pleaded, in accordance with the recommendations of the Taxation Enquiry Committee, for the allocation of the major portion of land revenue to the Local Boards which were entrusted with the development of the country. He suggested a survey of the mineral wealth of Assam.

Mr. R. Friel, Secretary to the Transferred Departments, defending the Government's opium policy, said that with regard to the consumption of opium by hill tribes resident within or adjoining Assam, the Council could take little useful action beyond according their support to the Government measure tending to a reduction of the consumption. He cited two smuggling cases through the Sadiya Frontier Tract which had the effect of passing 120 seers into consumption within the province and believed that a large portion thereon was consumed by people who either could not get licit opium or who could not get as much licit opium as they wished to. The price of this smuggled opium at a lower rate, Rs. 5, amounts to about half a lakh.

Mr. G. E. Seames, Chief Secretary, replying to the criticism regarding the delay in the disposal of civil suits, said that the Government had appointed an additional judicial staff at the High Court's recommendation and was prepared to make further additions, if recommended, subject to the Council voting.

The Minister for local Self-Government explained that the much smaller provision for Kala-azar this year was due to the reduction in the price of Uriya Stibamine and a great decrease in Kala-azar epidemic.

The Minister for Education, replying to the criticism of meagre provision for primary education, showed by figures that for the last three years he had been consistently increasing funds for that purpose and there had been a rise of nearly 600 schools during that period on a voluntary basis. From next year he expected proposals for expansion under the Compulsory Primary Education Act for which a small provision had been made in the next year's budget.

Explaining the reason why no step was taken to replace the Imperial Tea Export Duty by the Provincial Tea Export Duty, the Hon'ble Mr. A. W. Botham said that when Sir Basil Blackett announced the removal of the Tea Export Duty, he stated in the Imperial Legislative Assembly that he was replacing it by an additional income-tax which he estimated would bring in much the same revenue as the Tea Export Duty which he was cancelling. Besides, the Provincial Government was not competent to impose that duty without the sanction of the Governor General in Council.

#### Goalpara Tenancy Bill Finally Passed.

After the conclusion of the general budget debate the Goalpara Tenancy Bill was finally passed. The concluding proceedings were enlivened by passage-at-arms between the President on one side and Messrs. Pareshlal Shome, Gopendra Lal Das Choudhuri, Deputy President and Brajendra N Choudhury, Deputy leader, Swaraj Party on the other. Mr. Pareshlal Shome wanted to move an amendment adding a new clause providing that all deposits made under the Act in revenue and civil courts, if undisposed, shall after ten years lapse to Government and transferred to the credit of the local Boards.

The President refused permission, because of short notice. Members complained that several Government's amendments were admitted even without notice. Messrs. Choudhury and Shome thereupon opposed the final passing of the bill as a protest against the President's refusal to admit the amendment which would provide some funds for the local boards.

On a division the bill was passed.

#### Voting on Demands.

On the 16TH MARCH voting on demands commenced and continued throughout the next week.

Under Land Revenue, the Government presented a demand for Rs. 20,62,000 which the Council voted in toto after discussions raised by several token cuts

which were either withdrawn or lost and by a motion for the wholesale refusal of provision of Rs. 2,93,000 for settlement operations which was also lost, 20 voting for and 22 against.

The supporters criticised the Government for not giving effect to the Joint Select Committee's recommendations for having assessment legislation. They complained that the Re-settlement Bill which had once been brought up and which had emerged from the Select Committee was withdrawn by Government as it did not meet with their approval. Grants for re-settlement operations had been persistently objected to and still Government had not brought forward the Bill to meet the wishes of the people. They considered the present assessment without law as indiscreet and heavy.

The Hon'ble Mr. A. W. Botham, replying, said that land revenue which Government proposed to take in the districts concerned represented the actual reduction of revenue that was taken twenty years ago and Government were anxious to re-open the whole question of assessment legislation and to make another attempt to evolve provisions which would be acceptable both to the Council and Government.

#### A Censure Motion

Under demand for Rs. 18,53,000 Mr. Brajendra Narayan Chaudhury, Swarajist, moved a censure motion on Executive Councillors for failure to press constitutional demands of the Assam Council in pursuance of the resolutions adopted by the Council. He ascribed to them motives of perpetuation of Imperial service interests and reservation of some sort of coercive powers to the Governor, the Governor-General and so on.

Rai Bahadur Sadananda Dowerah, Independent, opposing said that as far as he could say Executive Councillors had advocated full responsible Government for Assam and they certainly did not deserve censure.

Colonel Smiles criticised the mover and his supporters for missing an opportunity to serve the country by non-co-operating with the Simon Commission.

The Hon. the Judicial Member, replying, said that the Government members were not in a position to discuss the point raised, but stated that the Government had asked for the consent of the President of the Statutory Commission to place before the Council a copy of their recommendations and it was premature to discuss what those were.

The motion being pressed to a division was lost, 16 voting for and 22 against.

The entire demands under General Administration and Stamps were voted by the Council.

#### Forest and Railway Demands

On the 18TH MARCH the Council voted the entire demands under Forests, Railways and Navigation after discussions raised by censure motions which with one exception under Forests, were withdrawn or lost. The censure motion carried under Forests by the casting vote of the President related to the alleged special treatment given to a European elephant mahaldar in Balipara frontier tract.

Mr. Brajendra Narayan Chaudhuri, Swarajist, in moving the censure motion under Railways raised discussion regarding the arrangement with the Railway Board regarding Tangla Belsire-Rangapara Railway extension and asked the Government that they should guarantee in full the loss on working this part of the railway and ask the Railway Board for half of the excess profits over 5 per cent.

The Hon'ble Mr. Botham replying said that there was no chance of the Railway Board agreeing to this arrangement since the Government did not provide a penny towards the capital cost. In his opinion the suggestion surpassed for the British Government a predominating share in the Suez Canal.

The Assam Local Funds Accounts and Audit Bill of 1929 was introduced and referred to a Select Committee.

#### Police Grant Voted.

On the 19TH MARCH the Council voted the entire demands under police, ports and pilotage, scientific departments and education (Reserved).

Colonel Smiles congratulated Hon'ble Sir Saiyid Saadulla, Minister for Education on his appointment as Judicial Member and hoped that if he carried on his duty in the same way as he had done as Minister, Assam would be fortunate. He also wished Khan Bahadur Kutubuddin Ahmed, the retiring Member, many years of well deserved rest.

Replying, Sir Saadulla said that all he was able to do was due to the co-operation of the Council and if similar co-operation was vouchsafed to him he would be able to render service in his new capacity. The Khan Bahadur acknowledge the good wishes and expressed gratefulness for help received from his colleagues and secretaries.

#### Several Censure Motions Carried.

On the 21ST MARCH the Council was devoted to voting of grants for transferred departments. Under excise two censure motions were passed protesting against the issue of new opium passes and opening of two new country spirit shops in Dibrugarh subdivision. Under education a censure motion was carried by the casting vote of the chair. It urged reorganization of lower subordinate educational service.

Under Medical, one censure motion was carried by 28 against 10. It raised discussions about inadequate provision of beds and want of accommodation for girls willing to study midwifery and nursing in the Berry White Medical School. Another motion carried by 22 against 16 votes urged reservation of more seats for Assam students in the Calcutta and Carmichael Medical Colleges.

The Council continued the discussion on demands for grants under 41 civil works (reserved) and refused the provision of Rs. 27,000 for acquisition of the Shillong Dak Bungalow and passed two censure motions on the Government for insufficiency of ordinary roads. It drew attention to accidents on roads.

Under advance and loan account budget, Mr. Kuladhar Chaliha, (Swarajist, carried a censure motion for insufficient provision for agricultural loans 25 including planters voting for and 9 against. He urged settlement of lands and grant of loans to indigenous people all over the province with provision for liberal interest.

#### Non-official Resolutions

On the 23RD MARCH the Council passed several resolutions. One recommending five weeks' holidays on account of Ramjan for all Government and semi-Government offices, schools and colleges was carried by a majority and the other recommending that no examination should be held in schools during the Ramjan was accepted by the Government. Another resolution recommended the realisation of revenue in certain districts at the rates of assessment which were in force before resettlement pending suitable legislation.

The Hon'ble Mr. Botham opposing said that in two districts only in which resettlement operations had been completed increase in revenue amounted to over six lakhs a year which the rayats have been paying as cheerfully as taxes were ever paid and he thought the province could hardly afford to sacrifice six lakhs even temporarily. Nevertheless the resolution was carried.

Mr. Mahmud Ali's resolution recommending reservation of prayer room in school and college hostels was lost.

#### Military Training in Schools.

On the 26TH MARCH Mr. Gopendralal Das Chaudhuri, Deputy President and Swarajist, failed to carry his resolution recommending substitution of the principle of nomination by co-option in the constitution of local bodies but succeeded in carrying through a resolution recommending the introduction of compulsory military training in all secondary schools.

#### No Confidence in Minister.

On the 27TH MARCH Maulvi Munawar Ali (Independent) gave notice of a motion of no-confidence in the Hon'ble Rev. J. J. M. Nichols Roy, Minister for Local Self-Government. The Hon'ble Mr. A. N. Botham, Finance Member remarked that the moving of such a motion in a half empty House, when the

opportunity of moving it had not been taken during the 3 weeks when there had been a full session, would only do discredit to those responsible for it and if it were carried, it would be of no value as an expression of opinion of the Council.

This raised a tremendous uproar of protests from the Swarajists who contended that a House was a House as long as it contained a quorum.

The President allowed the motion.

The mover and his supporters stated that the Minister for Local Self-Government had lost confidence in the administration of his Departments in that he superseded the Dibrugarh Municipality and sanctioned the issue of new opium passes and opening country spirit shops in direct contravention of the policy laid down by the Council.

One Swarajist pointed out instances of six censure motions passed against his Departments during the demands for grants as indicating no confidence in him.

The Hon'ble Minister, repudiating the charges, said that the Dibrugarh Municipality was superseded in the best interests of all concerned.

Regarding excise policy, he said that he had not deviated from the right principle of delivering the country from the opium evil and he had the support of the Advisory Committee on Excise in working the details of the policy of the Council. He was surprised to find that on some pretext or other some members of the Committee let him down at the last moment. He took the censure motions as sorts of only views expressed by the Council in certain matters and reiterated that, from the standpoint of fair play, such a motion should have no value, that it was a great injustice done to him by a no-confidence motion on the last day of the Council in a depleted House when many of his supporters had left on the assurance that no such motion would crop up.

The motion was carried by 17 to 14.

The Council was prorogued "sine die."

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# The Burma Legislative Council.

RANGOON—12TH DECEMBER 1928.

## Appointment of Simon Committee.

The third Reformed Burma Legislative Council met at Rangoon on the 12th December 1928 and elected Mr. U Pu, leader of the People's Party, as President, defeating the former President, Mr. O. Deglanville, by 48 to 41 votes. It then adjourned to meet on the next day, the 13TH FEBRUARY when the Finance Member moved: "That this Council do proceed to elect a committee of seven of its non-official members to confer jointly with the Indian Statutory Commission."

Mr. Tharrawaddy U. Pu. rose to a point of order. He said that the agenda of this session was issued to the members by the Secretary of the Council in the last week of November. The agenda contained the motion to be moved by the Finance Member. Under the rules 15 days' notice of a motion or resolution had to be given to the Secretary who would in turn submit the President who would decide whether it had to be admitted or not.

The President pointed out that the motion was admitted by the Chairman appointed by H. E. the Governor and hence it was in order.

Mr. U. Pu then moved his amendment which had the effect of practically nullifying the original resolution. In moving the amendment he said that instead of moving the above amendments he wished to oppose the resolution straightway. He and his party did not want the Simon Commission to come to Burma. They wanted the commission to go back to England. It was almost a certainty that Sir John and his Commission were not going to grant Home Rule to Burma. Utmost they might do was to give an extension of the Dyarchical form of Government. It was the intention of the speaker and his party to put all obstructions in the way of the Commission on its arrival in Burma. He detested the "Divide and Rule" policy of the Government. They would be satisfied with nothing short of Home Rule or Dominion Status.

Mr. U. Ba U. moved an amendment to the effect that following words be added after the resolution:—"for the purpose of determining immediate steps necessary towards attainment of full responsible Government."

Mr. Tharrawaddy U. Pu rose to a point of order and asked if the amendment was in order as two clear days' notice was required for the amendment.

The Finance Member said he had no objection to the amendment.

The President said the amendment was in order.

Mr. U. Ba U. then moved his amendment.

Several other speakers spoke both for and against the motion. The debate continued on the next day, the 14TH MARCH, when by 49 votes to 29 the Council decided to select a committee of seven non-official members of the Council to co-operate with the Indian Statutory Commission.

A motion for the selection of the committee was made yesterday by the Finance Member and was keenly discussed, 23 non-official members taking part in the debate. No decision was arrived at yesterday and the discussion was resumed this morning with the result stated.

Mr. U. Ba U moved an amendment that the words. "For the purpose of determining the immediate steps necessary towards the attainment of full responsible Government" should be added to the motion. The amendment was accepted by the Finance Member.

The Simon Commission, said U. Ba U in pleading for co-operation had been received with mixed feelings in India where there were two schools of political thought—one having confidence in the British Government that they would not go back upon their pronouncement that their ultimate goal was to place India on the road to responsible Government, and the other with no confidence in the British Government. In Burma they had not a single organization which had formulated any scheme for the realization of responsible

Government. It behoved them, therefore, to co-operate with the Commission to formulate such a scheme. Boycott of the Commission, he believed, would do them no good.

Tharawaddy U. Pu opposed the motion on the ground that the Simon Commission could not give Burma Home Rule.

#### Members of the Simon Committee.

The following were elected to co-operate with the Statutory Commission :— Mr. C. H. Campagnac, Sra Shwe Ba, Mr. Mohammed Rafi, Mr. Mohammed Eusoof U. Aung Their, U. Ba U. and U. Ba Shin.

#### Home Rulers' Walk-out.

The Home Rule Party walked out of the house. Before leading them out U. Pu of Tharawaddy said that as unlike the Peoples' Party, they were adhering to the decision to boycott the Simon Commission, there was nothing for them to do, and they might as well go out.

RANGOON.—13TH FEBRUARY 1929.

### Opening of Budget Session.

"I can vouch for it that Sir John Simon and his colleagues have no other thought in their minds than that they should advise what is best for India and for Burma," thus pleaded His Excellency the Governor of Burma, in opening the Budget Session of the Burma Legislative Council on the 13th February 1929.

The Governor continued : "Some of you may feel sure that neither an Indian nor a Burman has found a place on the Commission. The objection to others may be more fundamental. But there will be no disagreement as to the complexity and enormous importance of the task which has been laid upon the Commission."

#### Tharawaddy "No-Tax" Campaign

Referring to the no-tax campaign in the Tharawaddy District, the Governor said that the agitation in Tharawaddy was not a constitutional movement. Ostensibly it was directed against a particular tax. In reality it was an attack on the very existence of the Government at present established by law in Burma. He was sure that they would agree that no Government could afford not to resist, by all the means in its power, a challenge of its kind to authority, and hoped that there would be no recrudescence of the movement.

The Governor advocated a financial readjustment with the Government of India, and said that the real problem now was that, while the demand for increased expenditure fell heavily on the provinces, the most elastic and expending services of revenue were reserved to the Central Government. That was the complaint of all the provinces, but it had a special force in relation to Burma, which had provided a profitable field of taxation for the Central Government. The population was not much more than one-twentieth of that of British India ; yet, in 1926-27 they provided not less than one-tenth of the total receipts of the Central Government from import duties, income-tax and salt. Thus, the burden of central taxation was relatively heavy on Burma. The Government of India took more from Burma than other provinces.

The Governor continued : "One can sympathise with the position in this matter with the Central Government ; and I yield to none in my respect for and loyalty to the Government of India, of which I was for so long a member. One can appreciate too the enormous difficulty of arriving at a distribution of the sources of revenue in India, which will be just both to the Central Government and the varying circumstances of the provinces ; but, we in the Government of Burma, feel that we shall be failing in our duty to our province which has been committed to our charge, if we did not present, with all force of which we are capable, the case of Burma as it appears to us."

Regarding Burma's financial position, His Excellency Sir Charles Innes referred to the pessimistic views taken by the Accountant-General, and the Auditor-General for some years past, and the attack thereon from another angle by his Government in their memoranda submitted to the Simon Commission. He did not think that the province was bankrupt or heading towards bankruptcy. The normal revenues were rather more than sufficient to cover the normal expenditure; but the present situation was such that, if the financial arrangements with the Government of India were persisted in and they wished to preserve the province's financial solvency, they should refrain from increasing the rate of expenditure and embarking on new expensive projects.

His Excellency Sir Charles Innes, proceeding, observed: "It is a matter of common knowledge and it was admitted in the Meston Committee report when the reforms were introduced, that Burma is far behind India proper in what its Government has done for the people. Our submission is that under the present system the central Government takes so much from the common reservoir of taxation that not enough is left for our pressing needs."

In this connection quoting the figures His Excellency the Governor observed: "Some of you may think that the solution of the difficulty lies in the separation of India from Burma. Others may think that the answer is to be found in the readjustment of our financial relations with the Central Government in a manner more favourable to this province. Whatever views we may hold on this issue, I believe that it would have been of enormous value if we had all united to press the claims of our province in this and other matters on the attention of the Commission."

After referring to the monumental report of the Royal Agricultural Commission, His Excellency said that the Calvert Committee had already spent three months on their inquiry, and hoped that their report, which was expected shortly, would be the starting point of a new era of co-operation in Burma.

Concluding, His Excellency Sir Charles Innes said that with the Indian Statutory Commission in their midst inevitably their thoughts were filled with special speculations as to Burma's future; but whatever it be, their relations would continue to be cordial.

### Budget for 1929-30.

The Finance Member, the Hon'ble Mr. S. A. Smyth, presented his first Burma budget for 1929-30. The estimates provided an opening balance of Rs. 73 lakhs, ordinary revenue receipts of Rs. 1059.42 lakhs and receipts under Debt Heads of Rs. 95.30 lakhs, including Rs. 65 lakhs from the Provincial Loan Funds. On the expenditure side, the provision made for expenditure is Rs. 1137.67 lakhs charged to revenue, Rs. 30.27 lakhs not charged to revenue and Rs. 25.15 lakhs under debt heads, leaving a closing balance of Rs. 34.63 lakhs. Ordinary revenue receipts exceed the ordinary expenditure charged to revenue by Rs. 92.76 lakhs. The total of new expenditure for which provision has been made in the estimates is Rs. 49.97 lakhs. The budget for 1929-30 has been framed on the continuance of the existing taxes without any new taxation. The estimate of ordinary revenue receipts is Rs. 13.08 lakhs less than in the 1928-29 estimate, and Rs. 12.07 lakhs less than the actuals of 1928-29, the decrease being more than accounted for by the drop of Rs. 29.52 under Forests.

The Finance Member declared that on the revenue position, it was clear that the province was solvent. However he urged that the policy of economy in certain directions already in practice should be strictly adhered to and in other respects commitments should be reduced to the minimum requirements.

The Council then adjourned.

### Discussion of Budget.

The budget discussion which commenced in the Council on the 15TH FEBRUARY was exceedingly lively. U Ba Pe (leader of the Nationalist party) who initiated the debate had a tussle with Mr. Tyabji (Swarajist).

U. Ba Pe said that the resources of revenue in Burma had been extended to their utmost and he was unable to see how the country was going to progress

financially in future. Burma had always been treated as a step-daughter and India gained more by her connection with Burma. He pointed out that even in the conversion of the Burma railways into state railways the Indian Government benefited at the expenses of Burma. He challenged the assertions made by anti-Separationists that Burma had much to gain in her connection with India. That was not correct. If Burma had been a burden to India the latter would have cut adrift long ago. It was because Burma was financially of benefit to India her hold over the former.

Mr. Tyabji (Swarajist) said that instead of the province being in a solvent position, as the Finance Member had tried to make out, he feared it was in an insolvent position. He pointed out that the loans provided for cultivators this year were small and inadequate and he thought that the needs of the agriculturists should be met, Burma being purely an agricultural country. The Finance Member had a large increase in excise revenue and at the same time spoke of bad trade depression. If the latter were correct he could not understand the reason for the anticipation, except perhaps that with trade and commerce gone, people would turn to the drug shops for consolation, thus filling the pockets of the Finance Member. He also pointed out that in making the Burma railway a State-managed railway the Local Government had lost a sum of Rs. 135,000 which the railway company had been paying for the maintenance of the railway police. He did not know why the Government of India would be benefited at the expense of Burma and he asked the Government to demand continuance of payment for the upkeep of the railway police. He feared that the expectation of Rs. 17,00,000 would remain an expectation. As Burma was passing through a bad depressed period this must affect the revenue of the province. He hoped that the Finance Member would get it, otherwise it would be bad for the country as they would have to borrow more money and pay heavier interest. Mr. Tyabji urged that more money should be spent on nation-building purposes like Education, Sanitation, Public Health, Medical relief etc., than on unproductive purposes.

As regards the financial arrangement between the local Government and the Central Government he thought it would not come within the purview of this Council, but as U. Ba Pe had tried to make a point out of it, he would like to refer to it. "I say that the finance arrangement between the Central Government and the Government of Burma was no better or no worse than that of the arrangement between the Central and the other provinces of India.

The Council adjourned till to-morrow.

#### Supplementary Grants Voted.

On the 16TH FEBRUARY several demands for additional supplementary grants as well as the reappropriation statement and the Public Account Committee's report were passed without discussion.

The Home Member introduced his Bill to amend the Rangoon Small Cause Court Act 1920, wherein there are new sub-sections designed to restrict the right of second appeal and also clauses providing for deposit of security on an application by either party to a suit to the High Court for revision as well as giving the Registrar more power to deal with preliminary or uncontested questions in other suits, so as to set free judges for the more important work of trying contested suits.

On the motion of Sir Oscar De Glanville, who remarked that it was of importance to commercial bodies and the general public, the Bill was referred to a Select Committee.

The Council adjourned till 18th February

#### Separation of Burma.

On the 18TH FEBRUARY Mr. U. Ba Pe, leader of the Peoples' Party, moved a motion for the adjournment of the House to consider the question of the separation of Burma from India, the matter having become one of urgent public importance, owing to the recent visit of the Indian Statutory Commission.

The Finance Member, raising a point of order, said that the Government did not desire to prevent such discussion, but it was premature, as the matter



had been referred to the Commission for consideration. Besides, the House had no facts or figures now. He suggested postponement of the debate and said that, if members desired to discuss the subject to-day Government members would neither take part in the debate nor on the voting. The Hon'ble President, Mr. U. Pu ruled the matter as one of public importance and fixed 4 p.m. for discussion.

#### Enquiry into Rice and Paddy Trade.

The non-official resolutions were taken up then for discussion. On a motion, moved by Mr. Tharrawaddy U. Pu and amended by Mr. Oscar De Glanville, the House recommended the appointment of a committee to enquire into the condition of rice and paddy trade, generally freights and combinations to control prices and find out ways and means to improve the industry and report to the Local Government for legislative or other action.

A resolution recommending that all rights and privileges be withdrawn from Rangoon Port Commissioners and invested with the local Government lapsed as the members who drew the ballot were absent.

#### Removal of Rent Control.

Mr. Campagnac moved a resolution for appointing a committee to enquire into the effect of the removal of rent control. It was opposed by the representatives of Burma Chamber and Trades Association but as the clock struck four, further discussion was suspended till next day.

#### Separation of Burma.

Mr. U. Ba Pe, moving the adjournment motion, urged separation on financial grounds and said, politically and geographically, Burma was different from India and with a view to get Dominion Home Rule, Burma must be separated and expressed the opinion that the separation would be better, even if Burma be made a Crown Colony.

Mr. U Ni, Leader, Nationalist Parliamentary Organisation, supported the motion while Mr. Tharrawaddy U. Pu, Leader, Home Rule Party, opposed it saying that they wanted Dominion Home Rule first and then separation.

Mr. S. A. Tyabji, opposing, controverted the points raised by the mover, saying that if the motion was carried, it would not voice the majority view. The motion was pressed and carried without division. Neither Government Members nor European non-officials took part in the debate.

The Council then adjourned till next day.

#### Removal of Rent Control

On the 19TH FEBRUARY the unfinished debate on Mr. Campagnac's resolution recommending the appointment of a committee to enquire into the effect of the removal of rent control was resumed and after a few hours' debate was carried by a majority of seven votes. The echo of the Port Trust defamation case was then raised on a motion moved by U Tun Win recommending the Government to reject the enquiry proceedings against the conduct of Messrs. Oehme and Cooper and direct a fresh enquiry for adequately punishing those that were guilty of bribery and corruption.

The Finance Member opposing traced the whole history of the case saying that the Government consulted their legal adviser and acted by his advice. The Government had done everything possible in this matter. The resolution being pressed for division was lost thirty voting for and thirty-eight against. The Council then adjourned.

#### Other Non-Official Resolutions.

On the 21ST FEBRUARY non-official resolutions were concluded and of the four resolutions disposed of on this day all were carried, the Government suffering defeats. Two of the resolutions recommended the Government to introduce in the Council at an early date a bill relating to juvenile delinquents on the lines of the bill drafted by Justice Carr and the abolition of posts of Divisional Commissioners. This was the second time the House recommended the abolition of such posts.

The Council then adjourned till the 25th February.

## Voting on Budget Demands.

On the 25TH FEBRUARY motions regarding the demands for grants were taken for consideration and continued throughout the week. After the Finance Member moved a demand for grant of Rs. 2,43,92,610, several cuts were discussed, important one being the abolition of Capitation and Thathamada Taxes. But both motions were lost on division.

After long discussion the Council adjourned.

On the 27TH FEBRUARY the Finance Member's demands were passed in full, all cuts being ineffective. After the Home Member moved the demand for grant of Rs. 34,943,060, an interesting discussion arose on cuts proposed by U Tun Win and Tharrawaddy U Pu on working of reforms and Council. Non-officials including members of three parties namely, Home rule, National Parliamentary Organisation and the Peoples' Party strongly criticised, some characterising them as sham while officials who opposed included the Home Member, the Chief Secretary and others and some members of the Independent Party. The cuts were ultimately withdrawn. The Council then adjourned.

## Cut in Minister's Salary Lost.

On the 1ST MARCH an important cut was proposed by Tharrawaddy U Pu refusing the Forest Minister's salary on grounds of reforms as an absolute failure and Burma wanted dominion home rule. Members of the People's Party and National Parliamentary Organisation voted for it but the motion was ultimately lost, 43 voting for and 51 against.

U Tun Win also moved a substantial reduction in excise but the motion was also lost earlier in the day.

The Home Member's demands were passed in full, the majority of cut being unremoved. The Council then adjourned.

On the 2ND MARCH Dr. U. Thein Maung, Member of the People's Party, moved a nominal cut expressing "no confidence" in the Forest Minister. The cut motion was debated for a long time and supported by the members of the Home Rule Party and the National Parliamentary organisation, but ultimately, lost in a majority of 21 votes.

Immediately after the Education Minister moved his demands, Tharrawaddy U Pu moved that the Minister's salary be refused, the object being to put an end to the Reforms but as the clock struck 5, the President put the motion to the vote, and it was lost. The mover did not press for a division. The guillotine was then applied, and the whole demand was passed.

Demands for grant of 2,68,43,720 made by Sir Lee Ah Yain, Forest Minister, and of Rs. 2,02,61,210 by U Ba Tin, Education Minister, were passed in full, after which the Council was prorogued.

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# CONGRESS & CONFERENCES

Jan.—June 1929.

# The All India Hindu Mahasabha

*SURAT—30th. MARCH to 1st. APRIL 1929.*

The twelfth session of the All-India Hindu Maha Sabha commenced at Surat on the 30th March at 5 in the afternoon amidst scenes of great enthusiasm in the big pandal on the Surat-Aswanikumar Road near the railway station. The pandal was decorated with photos of Shivaji, Pratap Singh, Lala Lajpat Rai, Dr. Rabindranath Tagore, Swami Shradhananda and Lokamanya Balgangadhar Tilak.

Prominent among those present were Dr. Moonji, Dr. Chotram, Swami Chidananda, Pandit Radhakant Malaviya, Bhai Parmanand, Dr. Suniti Chatterji, Mr. Padmaraj Jain and Dr. Sawarkar. Among the Gujrat leaders present were Dr. M. K. Dixit, Rao Bahadur Bhimbhai Naik, Rao Saheb Dadubhai and Mr. Waman Mukadam, members of the Bombay Council.

After the singing of the national song Dr. N. M. Rajeji read his welcome address. Bhai Parmanand then formerly proposed Mr. Ramanand CHATTERJEE to the chair, describing him as a man of international fame. He also observed that Mr. Chatterjee was one of the three luminaries of Bengal, the other two being Dr. Rabindranath Tagore and S. J. C. Bose. The proposal, after being seconded by leading men from different provinces, was adopted, and Mr. Chatterjee took the chair.

Amidst deafening cheers, the President unfurled the Hindu flag all standing. The flag was of triangular shape in saffron colour, bearing the design of a sword and sun. The flag was then fixed in the centre of the rostrum.

The President then ascended the rostrum to deliver his address which he read for a short time, and then requested Dr. Moonji to read. The following is a detailed summary of his address :—

## The Presidential Address.

"Just as internationalists of an extreme type forget in their condemnation of nationalism that nationalism may be of two kinds, so nationalists forget that devotion to the welfare of the religious community to which one belongs may not necessarily deserve the name of communalism in an opprobrious sense. Nationalism is bad when it means "My country, right or wrong," when it seeks to aggrandise one's own country at the expense of other countries. Nationalism has come to have a sinister significance because in Europe it has been generally of the predatory sort. But Indian nationalism is not of that character. It only wants the restoration of the birth right of Indians in India ; it does not seek to deprive any foreign people of their rights in their countries. Similarly, the Hindu Mahasabha does not seek to have for Hindus any political, economic or civic rights or privileges to which they are not entitled by their numbers, educational and other qualifications, character, ability, public spirit and tax-paying capacity. And, in particular, the Hindu Mahasabha does not want for Hindus any fixed share of which it may indirectly leave an inequitable portion for others. It stands for open and fair competition, for an open door for talent irrespective of considerations of race, creed or complexion. It is one of its objects "to promote good feelings between the Hindus and other communities in India and to act in a friendly way with them with a view to evolve a united and self-governing Indian Nation." Its other objects are concerned mainly with the internal affairs of the Hindu community. The promotion of the political interests and rights of the entire Hindu community is mentioned last. And it is added in a note that "the Mahasabha shall not side or identify itself or interfere with or oppose any political party." This leaves the members of the Mahasabha free in their individual capacity to join or not to join any political party.

## "POLITICAL ACTIVITIES—SURELY DEFENSIVE."

"The history of the Mahasabha shows that its political activities have been purely of a defensive character. It has put in an appearance in the political arena only when in its opinion the political interests of the Hindus have been jeopardised. And, so far as my knowledge goes, it has not been as active in certain political matters as it

could justifiably have been. Whether this has been due to forbearance or some other causes, I do not know.

"Perhaps what has more than anything else made the Hindu Mahasabha unpopular with the bulk of Indian Mussalmans is its effort "to preserve and increase the numerical strength of the Hindus" which is one of its declared objects. Non-Hindu communities in India, like the Mahomedan and the Christian, particularly the former, have increased vastly at the expense of the Hindus and the aborigines of India. Therefore, anything done to arrest this process cannot be looked upon with favour by the followers of those non-Indian faiths. Still more unpleasant must the reversal of the process be to them. But I do not see how one can logically and justly object to the Hindus doing what the others have been doing for centuries—particularly as the Hindus have not gone in for the accession to their ranks of non-Hindu woman abducted or confiscated and obliged to be converted, of men tempted to come over by the prospect of marriage, of persons induced to be converted by the prospect of economic advantage and of person forced to be converted by terrorism of any kind. The Hindu Mahasabha and Hindu missions connected with it, formally or informally, want re-conversion and conversion only by fair, open and legitimate means.

#### QUESTION OF CONVERSION TO HINDUISM

"Non-Hindus allege that Hinduism has never been a proselytizing faith, and that, therefore, conversion to Hinduism is a new departure and hence an aggressive move. Assuming that Hinduism has never been a proselytizing religion I do not see what spiritual, moral, rational or legal object there can be to Hindus adopting a new method to meet a new situation. Every individual and every group has an inherent right to take all legitimate steps for self-preservation and maximum usefulness. "New occasions teach new duties," and "new times demand new measures." That a new situation has arisen is quite plain. In most provinces of India the Hindus form a smaller percentage of the population than they did fifty years ago, the percentage showing a decline of each successive census. This is true also of India as a whole. The main cause of these decreases is not conversion to non-Hindu faiths. But whatever the causes and the extent of their responsibility for these decreases, the Hindus must try to combat all of them by all fair and scientific means. It is to be noted that in some other areas conversion is a cause of considerable decrease.

"I have hitherto taken it for granted that Hindus had not until recently admitted non-Hindus into their ranks. This, however, is not a historical fact. The Hindu methods of proselytism may have been different from the methods of non-Hindu religions. But from time immemorial, Hinduisation has gone on continually. According to the definition of the Hindu Mahasabha, Buddhists are also Hindus. Vincent A Smith says that both Buddhism and Jainism may be regarded as offshoots of Hinduism. In the opinion of Prof. Rays Davids, the Buddha was the greatest and wisest and best of Hindus. Weber holds that Buddhism may be regarded as a reformed phase of Hindu religious and ethical activity. Now, it is well-known that Buddhism was the earliest and foremost of proselytizing religion both in and outside India. The Hindu Mahasabha considers Sikhism also to be a form of Hinduism, which originated some centuries ago. It also has initiated both Hindus and non-Hindus into its faith. I need not refer to the activities of the modern Brahmo and Arya Samaj movements.

"Indianization succeeded to such a great extent in many an Asiatic land, because India's spiritual and cultural ambassadors and workers there were not the sappers and miners, the scouts, the spies, or the agents, abettors and camp followers of imperialists and exploiters. Love of humanity and of the truth impelled them to cross snow-capped mountains, the parched and burning sands of deserts and the storm-swept waves of the ocean. Many lost their lives in the pursuit of humane enterprise. Unlike many European Christian nations, the ancient Hindus neither enslaved nor exterminated any races in foreign lands less civilised than themselves. Unlike the Muslim Arabs and the Christian Spaniards, English, Americans and others, the ancient Hindus were never slave-catchers and slave-traders. And here I must beg leave to remind our very orthodox touch-me-notists, that whatever the origin of the wicked and accursed custom of untouchability may be in India itself,

in the India civilised Indian Archipelago and further Indian, our modern Indian travellers have not found any trace of the natives there having been assigned the inferior social position of the Negroes in America and South Africa or of the untouchables in some parts of India. Let us all learn from our ancient colonizing ancestors the lesson that we became strong, immortal and manlike not by despising and depressing the lowly but by loving and respecting them and uplifting them to our own level—nay, by helping them to rise higher even than ourselves. The true Brahman is he who is the selfless helper and servant of all, not the self-righteous concerned person who places his feet on the heads of others.

#### ELEVATION OF DEPRESSED CLASSES

"Like the work of conversion and reconversion there are some other items in the programme of Hindu Sabhas and Missions which have brought upon them the charge of communalism and made them unpopular with Christian and Muslim propagandists. One such item is the amelioration and improvement of the condition of the so-called low castes of the Hindu community and of the aborigines of India. It is from these classes that the Christians and Muslims have got the largest number of their converts. So if the "lower" classes of the Hindus are raised in the social scale and their economic condition is improved, and if the aborigines are similarly uplifted by the Hindus, there would not be as much scope for their conversion to Christianity and Islam as hitherto. But Hindus cannot leave the field entirely to non-Hindus. Let me say here once for all that, as Hindus are responsible and thinking beings who always can and ought to judge and act for themselves as circumstances demand, they are entitled for their own preservation and welfare to take whatever legitimate steps they think fit, even if in the scriptures, tradition or history of themselves or others there be no precedents for such steps. But this uplift work is not new to Hindus. It is, no doubt, our shame that there are still so many Hindus and so many indigenes suffering from dire poverty, ignorance, superstition and social indignity. Without vain regret for the past, let us all gird up our loins and do our utmost for these sisters and brethren of ours, not in the spirit of condescending patrons and benefactors, but in that of devoted and selfless fraternal service and in that of repayment of the debt we owe them. For it is they who feed us, house us, clothe us, help us in locomotion, and, as sweepers and scavengers, keep our houses, villages and towns clean and sweet and healthy.

"Our sisters and brethren, the so-called low-caste Hindus are human beings just like ourselves. It would be wicked and shameful to treat them as if they were not. It is suicidal to give them better social recognition when they are converted to some non-Hindu faith than when they remain Hindus.

"Permanent and hereditary untouchability is not only wicked and shameful, but it is also an absurdity. Those who believe in untouchability of this sort tacitly and indirectly give greater rights to various lower animals, including plague-carrying rats, than to human beings. Those who are holy and pure ought to be able to raise and purify those who are not, by their company and contact. The sun purifies every impure thing it shines upon, its rays and itself are not made impure thereby. Can noisome fogs and mists obliterate the sun? God is the purifier of all. Nobody can make Him or any symbol of His impure by his approach or touch.

"In order to improve the condition of the depressed classes educational facilities, both general and vocational, should be provided for them to an adequate extent. The Hindu Mahasabha itself ought to take action in this direction, as well as get pressure to be brought to bear on the Government and local bodies for them to take such action. Social status cannot be improved without economic improvement. The provision of land and the supply of raw materials for home industries are suggested as some of the means to be adopted in addition to vocational education.

"I have been obliged for the sake of brevity to refer to some of our fellow countrymen as the depressed classes. But the sooner the use of this expression is given up in the Census and other Government reports, and by us and these classes themselves, the better. When under the necessity of doing so, we occasionally refer to the example of Japan as an oriental country which is politically free, independent and progressive. But we should at the same time always bear in mind that the Japanese have abolished untouchability, and their untouchables the *henin* or *eta*, are no longer

outcasts but have in actual practice the same social and political rights as others. The higher and privileged classes of Samurai and others have of their own accord given up their special privileges ; so that there is at present no caste feeling in Japan, and no Japanese need suffer from the inferiority complex. Everyone there can walk erect and hold his head high.

"I have said that the sooner the expression "depressed classes" falls into dis-use the better. Another thing to be guarded against is the exaggeration of their number. It is generally thought and said by our critics that these people number six or more than six crores. But it has been recently admitted officially that the number is somewhere near 3 crores ; possibly it is still less. I long for the day when we shall all be known only as Hindus, all in the enjoyment of equal social dignity.

"The Hindu Mahasabha should give hope to the lowest of the low in the Hindu community, taking off the incubus of social indignities and disabilities from their backs. Hope deferred maketh the heart sick. It will not, therefore, do to tell them that their lot may improve at their next birth. Just as we, politically-minded Indians, want full political freedom during our own life time, so do they want social freedom and respectability during theirs. If they lose hope as Hindus, they will either go over to Islam or Christianity or die out.

"In Hinduizing the Aborigines regard should be had to the conservation of their play-instinct and their joy and zest in life, while reforming degrading customs and amusements, if any.

#### OUR MARRIAGE CUSTOMS

"The evil custom of 'bride-price' presents many persons in parts of the country from marrying at all and others from marrying while they are young. This leads to decline in the population of some castes and to other evils. Similarly, the custom of 'bride-groom price' is a great evil. When our young men realize how mean, ungentlemanly and dishonourable it is to demand money for marrying a girl and when they want to be true lovers and real gentlemen then this disgraceful system will disappear.

"The introduction of inter-subcaste and inter-caste marriages will widen the field of choice of brides and bridegrooms. This will be one remedy for "enforced" celibacy, late marriages and marriages of elderly bridegrooms with brides very much younger than themselves all of which go against due continuance and propagation of species.

"The amelioration of the condition of Hindu women is another object of the Hindu Mahasabha. Hindu idealism relating to woman is unsurpassed in the world. But many of our customs fall so short of this idealism as to make us ashamed. In order that our women may be what according to our ideal they ought to be, there should be physical culture (including the arts of self-defence) moral training and heart culture and intellectual culture and training in domestic science for all our girls and young women. In order that there may be ample time for the education of girls, child marriage and premature motherhood should be put a stop to. I am glad that the 7th session of the Hindu Mahasabha under the presidency of Pandit Madan Mohan Malaviya "enjoined upon all Hindus not to marry their girls, before the age of sixteen" which leaves it optional to keep them unmarried a few years longer if necessary. Child marriage and premature motherhood is injurious not only to the girls but also to their progeny and decreases the fecundity of the mothers.

#### NEED FOR MILITARY TRAINING

"The encroachments on Hindu rights are many. I will not dwell on them in detail. But as the Hindus along with some others have been deprived of the right and duty of defending the country, I will refer to it in particular. With the expansion of the British Empire and the gradual evolution of British imperialistic policy in India, recruitment for the sepoy army has gradually receded from province after province in British India with the growth of political self-consciousness there and, sepoys are now for the most part recruited from some Indian States, from trans-frontier Muslim territory and from Nepal. The result is that the descendants of those who at one time fought valiantly against or for the



British are practically declared unfit for self-defence. British India is thoroughly emasculated, and as Hindus outnumber other communities, they are the greatest sufferers. Proportionately there are more Muslims than Hindus in the Army. The division of the people into martial and unwarlike is unscientific, unhistorical and based on falsehood. No such classification exists in any other civilised country. There should be recruitment from all provinces and religious communities, as far as practicable. As an aid to the realization of this ideal, there should be gymnasias and sporting clubs all over the country. Both our girls and boys should be taught the arts of armed and unarmed individual and collective self-defence. They should be placed above the fear of getting wounded and of bleeding. The Hindu Mahasabha should give the greatest possible attention to this matter. I lay stress on this subject not for any aggressive purpose, but in order that we may get rid of softness caused by over-civilization and may be able to acquire the strength, courage and secure position which alone entitle and enable men to preach and practise *ahimsa* and *satya* which constitute India's message to the world.

"With regard to our political interests and rights I shall say only this in brief that as in the past, so at present and in the future, the Hindus will not shrink from facing all dangers and making all the sacrifices necessary for winning freedom for all communities. In order to obtain the co-operation of the other communities, the Hindu community will honourably stand by as it has hitherto stood by, the Hindu-Muslim agreements arrived at as recorded in the Nehru Committee's reports, provided there is no going back from those agreements on the part of others. But if there be such going back, and if the Mussalmans persist in opposing the Nehru Report as passed by the All Parties Convention at Calcutta the Hindus on their part will be fully justified in going back to their original national, logical and just position that there is to be no reservation of seats for any community anywhere and that the electorates for all legislatures are to be everywhere joint and mixed.

"There can be no greater confession of want of confidence in the capacity of the Moslem community than for any of them to demand any reservation of a proportionate number of seats even where they are in a majority. Such a demand practically means that in their opinion there must be perpetual Moslem Raj in the Moslem majority provinces. On the other hand, our great departed leader Lala Lajpat Rai who was also a great national leader has declared it "as a fact that the bulk of the Hindus do not want a Hindu Raj. What the latter are striving after is a National Government founded on justice to all communities, all classes and all interests." In my judgment," he said "the cry of a Hindu Raj or a Muslim Raj is purely mischievous and ought to be discouraged."

"I respectfully request all to always bear in mind some facts relating to the origin and continuance of political power. The British people, nay the entire White people inhabiting the British Empire, are a minority; whereas the Indian people even the Hindu community by itself, form the majority. Yet the British people are masters of the situation. They did not become masters by virtue of any pact or compromise. When the Moslems became master of India, that was not by the force of any agreement. Power is gained or lost, whether there be or be not any verbal or written guarantees, pacts and things of that description, though they have their value.

"Peoples' fates are determined by their possession or lack of character, strength, ability, intellectual calibre, efficiency, firm resolve and sacrifice for the cause of the whole people. Let not Hindus, therefore, be under any delusion that their mere numerical strength will be a safeguard against loss of rights and power in the future, any more than it has been in the past. Let not Moslems, too, be under any delusion that reservation of seats for them, both where they are in minority and in the majority, will secure for them a perpetual lease of powers and rights any more than the possession of supreme political power in the past in India and elsewhere has prevented their downfall. The present generation of neither Hindus nor Moslems have the right or the power to make any artificial, unjust and illogical agreements binding on their descendants. Still less can the present or any other generation make such agreement binding on the Power that rules the destinies of nations.

"In addition to communal strifes, conflicts between labour and capital and between

cultivators and landholders have began to loom large on the horizon. It is necessary in the highest interests of the Hindu community and of all other communities that the points at issue between the parties should be settled by mutual consultation and agreement. Nay, these points should not arise at all. There are Hindus among labourers and peasants and their leaders and among capitalists and land-holders. I appeal to them all not to take to the war-path in Occidental fashion, not at least till the fullest trial has been given to methods of arbitration and conciliation.

"In all climes and ages givers have been richer than receivers. The teacher, the man who has to impart spiritual, moral or intellectual truth, must be superior in his possessions to the man who acquires knowledge for himself alone. Hence for India to be rich in the possession of inward treasure, her sons and daughters must be in a position to give. They must not be mere learners and borrowers. Let them again prepare themselves to take up their ancient roles. A few have already in modern times become world teachers. This is the way to promote our religious, moral and intellectual interests.

"But in order to give, one must also receive. He alone can give who has life. Life connotes adaptation to environment, assimilation of that which is good and elimination of that which is injurious."

#### *SECOND DAY—31st. MARCH 1929*

To-day's sitting of the Maha Sabha commenced at 9 in the morning. Mr. W. S. Mukadam, Secretary of the Maha Sabha, read messages received from various parts of India, including those from Mr. N. C. Kelkar and Mr. M. S. Aney. Non-controversial resolutions passed last night in the subjects committee were taken up. The following are the text of the resolutions:—

##### **1. Tribute to Lalaji.**

The Maha Sabha expressed profound sorrow at the death of Lala Lajpat Rai, ex-President of the Hindu Maha Sabha, a patriot and statesman, and condemned the assault of the police on Lalaji and other Punjab leaders, as also the action of the Punjab Government and the Government of India in not accepting the popular demand for an open and independent inquiry. The resolution stated that the elected Indian members of the Punjab Council had forfeited the confidence of the people by turning down that resolution. The resolution further approved wholeheartedly the proposal for raising an All-India Hindu Maha Sabha Memorial to Lalaji in the shape of a society of life workers called the Servants of Hindu Society.

##### **2. Godhra Riots**

The second resolution expressed abhorrence at the murder of Mr. Purshotham by Moslem ruffians at Godhra and condemned the atrocious act and offered sympathy to the bereaved family and called upon the Hindus, particularly of Gujarat, to perpetuate his memory.

##### **3. Hindu Sangathan**

The Hindu Mahasabha calls upon every Hindu to devote himself heart and soul to the sacred work of Hindu Sangathan and to organise Hindu Sabhas in every village and town with a view to carry out the objects and resolutions of the Hindu Mahasabha. The Mahasabha expects every Provincial Hindu Sabha and all Hindu leaders to establish Hindu Sabhas during this year in places where they do not exist at present.

##### **4. Shuddhi**

The Hindu Mahasabha calls upon all Hindus, irrespective of whatever sects of Hinduism they may belong to, to give their whole-hearted support to the movement of Shuddhi and to offer every facilities to those willing to be converted or reconverted to enter the Hindu fold or for the enjoyment of the rights and privileges of the caste, they may have previously belonged to.

### 5. Removal of Untouchability

"This Hindu Mahasabha declares that the so-called untouchables have equal rights with other Hindus to study in public schools, to take water from public wells and other sources of drinking water, to sit with others in public meetings and to walk on public roads. The Mahasabha calls upon all Hindus to remove such restraints as may be existing anywhere at present in the way of the so-called untouchable Hindus exercising these rights.

This Mahasabha declares that the so-called untouchables are fully entitled to have Dev Darshan and this Hindu Mahasabha calls upon all Hindus in general and all Hindu Sabhas in particular to arrange for the provision of the same facilities for Dev Darshan to them as are enjoyed at present by other Hindus.

This Mahasabha calls upon Purohits (Priests), barbers and washermen to offer their services to the so-called untouchables also as they do to other Hindus.

This Mahasabha is of opinion that every Hindu, to whatever caste he may belong, has equal social and political rights.

This Mahasabha looks upon the practice of appointing the representatives of the depressed classes by nomination by the Government to the local bodies, Provincial Councils and the Assembly as most harmful and injurious to the true interests of the country and the self-respect of those classes and considers that this practice will become a source of creating a great gulf in the near future between other Hindus and the so-called untouchable classes. In the opinion of the Mahasabha, the right course to compel the Government to put a stop to this practice is to set up and back proper candidates belonging to the so-called untouchable classes to the elected bodies named above for election.

### 6. Physical training for Hindus

"(a) The Hindu Mahasabha calls upon the Hindus to establish Akharas and Gymnasiums for imparting physical training, military drill and rifle practice to Hindu youths and for popularising and organising indigenous games with the object of arresting the progressive decay of the Hindu youths, and

(b) In the opinion of the Hindu Mahasabha the time has arrived for the organisation of the Hindu youth movement for carrying on the work of Hindu Sangathan in an organised manner so as to prepare the Hindus to take their full share in the struggle for Swaraj."

The Maha Sabha at this stage adjourned till the evening. When the Sabha re-assembled at six in the evening, Dr. B. S. Moonji moved the following resolution regarding the Nehru Report :—

### 7. Future constitution of the Government of India

"That the Hindu Maha Sabha has consistently and all along been of the opinion that communalism, in no shape or form, should be introduced in the political administration of the country, either in the matter of representation in the Legislatures or in any of the other elective bodies or in the services. Notwithstanding this, however, in order to bring about an agreement between Hindus and Moslems, the Hindu Maha Sabha might have favourably considered the recommendation in respect of the Moslem demands of the Report of the Nehru Committee as amended and adopted by the All-Parties Convention : but as Moslem opinion, as represented in the All-India Moslem Conference held at Delhi during the Christmas week, has rejected that Report, the Hindu Maha Sabha, believing, as it does, that communalism reiterates its original essentially nationalistic position, calls upon all Hindus to work for and support the constitution based on principles which were propounded by the last Jubbulpore Session of the Hindu Maha Sabha, and are restated as below in a slightly amended form to suit the present circumstances :—

1. "(a) That there shall be uniformity of franchise for all communities in each province ; (b) that elections to all elective bodies shall be by mixed electorate ; (c) that there shall be no reservation of seats on communal considerations in any of the elective bodies and educational institutions ; (d) the basis of representation of different communities such as, voting strength or taxation, shall be uniform.

There shall be no communal representation in the public services, which must be open to all communities on the basis of merit and competency ascertained through open competitive tests. Redistribution of provinces in India, if and when necessary, shall be made on their merits in the light of principles capable of general application with due regard to administrative, financial, strategic and similar other considerations; but no new province shall be created with the object of giving a majority therein to any particular community.

2. That in the case of provinces like the N. W. F. Province, Baluchistan and the scheduled districts, steps should at once be taken to secure, with as little delay as possible, the benefits of a regular system of administration, financial, judicial and executive.

3. That with regard to Moslem demands for the separation of Sind from the Bombay Presidency and for the reservation of one-third of the elected seats in the Central Legislatures for Moslems, the Hindu Maha Sabha resolves that in view of the fact that (i) the creation of new provinces primarily or solely with a view to increase the number of provinces in which a particular community shall be in a majority, is fraught with danger to the growth of sound nationalism in the country and will divide India into Hindu-India and Moslem-India, (b) the redistribution of any province without the consent and agreement of the two major communities residing in that province is likely to increase the area of communal conflict and endanger the relations between the two major communities, not only in that province but throughout India and (c) the separation of Sind will not only be a costly financial proposition, but would also arrest its economic development and its educational advancement and deprive the people of Sind of many undeniable benefits of their association with the advanced people of other parts of Bombay Presidency in their economic as well as political developments, Sind should not be separated from the Bombay Presidency.

In view of the fact that the prime object of the Maha Sabha is to exorcise communalism as rapidly as possible from the public administration of the country, the Hindu Maha Sabha is unable to agree to the reservation of one-third of the elected seats in the Central Legislatures for Moslems."

Dr. Moonji, commending the resolution for the acceptance of the House explained the political situation existing at present and stated that it was considered till now that Mr. Jinhah had declared in favour of separate representation for Moslems and rejected the Nehru Report, the Hindu Maha Sabha had to adopt this resolution.

Bhai Paramanand seconded the resolution.

#### AN AMENDMENT CARRIED

Mr. Das Ram Bagai of Dera Ismail Khan moved an amendment to Clause 2 of the resolution relating to the N. W. F. Province which ran :—"The Reforms scheme in its entirety or otherwise will neither be workable nor beneficial in the N. W. F. Province owing to the peculiar conditions, geographical, financial and political, obtaining in this Province, and it is sure to be detrimental to good government, and highly prejudicial to all interests."

Dr. Moonji, while admitting the difficulties experienced by the N. W. F. Province as mentioned by the mover of the amendment, expressed inability to accept the amendment.

When discussion was resumed on the amended resolution, Dr. Chitram (Sind), speaking on it, strongly opposed it. He contended that since the Nehru Report was accepted in December by the All-Parties' Convention at Calcutta, representing not less than 56 organisations including the Hindu Maha Sabha, they should not go back upon their previous decision.

Pandit Harischandra Bajpai also opposed the resolution, saying that it was impossible, at the present juncture, for the Hindu Maha Sabha to withdraw the support, which it had, after full consideration, accorded to the Nehru Report. Further, the Congress had declared that if a constitution on the lines of the Nehru Report was not accepted by the Bureaucracy by the end of the year, it would have to declare complete independence. It was on the strength of Hindu support that the attitude was taken up by the Congress, because most of the Mahomedans were opposed to it then. He considered it stultifying to the nation and their great leader

Gandhiji, who had moved the resolution in the Calcutta Congress, to pass the present resolution.

Dr. Moonji replying declared that if Mr. Jinnah, at any moment, consented to accept the Nehru Constitution, he would also immediately be prepared to do so.

Pandit Devaratna Sharma, on behalf of the President, put the resolution to the vote of the House. Almost an equal number of hands were raised for and against. Disorderly scenes were witnessed for a few minutes, when the President had to come to the rostrum and again take votes by a show of hands. The President declared the resolution carried by a majority. The declaration was followed by loud uproar and disorder which subsided after a few minutes.

### 8. The Music Question

The last resolution passed on this day related to the music question :—

"In view of the fact that participation in the conducting of musical procession along the King's highways and public thoroughfares is the inherent right of every citizen generally, and oftentimes the religious right of the Hindus particularly, and in view of the fact that this right has been recognised by the Privy Council, the highest Court of Justice in the British Empire and is the logical corollary of the principle of religious neutrality to which the government is pledged, this Mahasabha is pained at and emphatically condemns all attempts that are often made by the Executive authorities in several places for curtailing and circumscribing this right of the Hindus by the improper use of the powers given under the Criminal Procedure Code and the Police Act for meeting temporary exigencies of the situation. Under these circumstances, the Hindu Mahasabha considers it justifiable on the part of the Hindus to stand up boldly for their rights by all legitimate measures and calls upon the Hindus to insist upon their free and unmolested enjoyment of this right."

### THIRD DAY—1st April, 1929

Resolutions passed on this day included those expressing feelings of brotherly love and sympathy to all Hindu Brahmins or Buddhists residing outside India and to all others who in common with Indians derive their spiritual culture from the great mother culture of ancient India, and emphasising the necessity for reviving the ancient connections between India and Siam, Cambodia, Java, the Hindu island of Bali and China and Japan with a view to brotherly co-operation, for the benefit of the whole of humanity.

"The Mahasabha authorised the Working Committee to do everything needful which it might think best in respect of the forthcoming elections to the legislatures"

"The Mahasabha expressed whole-hearted sympathy with the Hindus in Afghanistan in their sufferings and requested the Government to provide facilities for their removal to India."

Another resolution referred to the decisions of the Delhi and Patna sessions regarding protection of cows, Hindu orphans and widows. The Mahasabha enjoined on the Working Committee to give them full publicity.

The Mahasabha urged the Hindus to boycott foreign cloth and adopt the use of Khaddar.

The following resolution was moved from the chair and unanimously adopted :

"In view of the fact that Moslems have been persistently agitating for larger and larger employment of Moslems in the public services of the country, the Hindu Mahasabha draws the attention of the Government to the fact that in the police service, particularly in many provinces even where they are in a minority and also in the military forces, Moslems have been recruited in large numbers quite out of proportion to their numerical strength or educational efficiency, and therefore requests the Government to take immediate steps to increase the recruitment of Hindus to such service."

The Mahasabha also resolved to make changes in the present constitution

of the Working Committee, which is to consist of a President, a Working President, 2 Vice-Presidents, 2 Secretaries and 1 Treasurer and 11 members.

The President, Mr. Ramananda Chatterjee, in bringing the session to a close thanked the Reception Committee, the delegates and others, and expressed great satisfaction at the presence of a number of Gujrathi ladies. He said: "We must give not only passive assent, but active co-operation to make the resolutions passed during the session matters of actual history. It will not do for us to leave them printed on paper."

The singing of "Bande Mataram" song by Surat ladies brought the proceedings to a close.

## The All-India Muslim League

### Meeting of the League Council

Readers of the Register are aware that the All-India Muslim League in its session in Calcutta in December last was adjourned as it could not come to any definite agreement on the question of the Nehru Report. There was also an influential section of the Moslems who seceded from the League and held a separate meeting in Delhi at the same time under the style of the All Parties Moslem Conference. Since then several attempts were made to bridge this gulf in the Moslem ranks. Happily it resulted in a very representative meeting of the Council of the All-India Moslem League, attended by both the Jinnah section and the Delhi Conference section, being held in Delhi on the 3rd MARCH 1929 at the League's office.

An hour before the meeting, the Delhi Moslem Conference representatives held their own meeting at the residence of Hakim Jamal Khan, where among those present were Sir Mohamed Shafi, the Ali Brothers, Moulvi Shafi Daudi, Moulvi Mahomed Yakub and Nawab Ismail Khan. This party, with the exception of Sir M. Shafi, later came and attended the meeting of the Council of the League.

Three sets of opinion prevailed. There was one section of the Delhi Moslem Conference which wanted the All-India Muslim League to adopt *en bloc* the Delhi Conference resolution and force the matter to an issue. On the other hand, the section of the All-India Moslem League wished to defer a decision till the special session of the League and to watch events meanwhile. The third section, consisting of moderate thinkers of both sides, wished to come to a compromise and commit the task of drafting the compromise resolution to a representative committee.

Mr. Jinnah occupied the chair at this day's meeting of the Council. Among others present were the Ali Brothers, Moulvi Mohamed Yakub, Dr Kitchlew, Nawab Ismail Khan, Moulana Abul Kalam Azad, Syed Murtuza, Shah Mahomed Zubair, Mr. Sherwani, Mr. Fazal Rahimtullah, Mr. Kidwai, Mr. Yamin Khan, Mr. Abdul Matin Choudhury, Haji Abdullah Haroon, Mr. Daood Ghaznavi, Moulana Abdul Rahman, Syed Abdullah Mahomed Siddique, Moulvi Kifayatullah and Mr. Abdul Aziz.

At the outset, Mr. Jinnah pointed out that in substance there was very little difference between the resolution of the Delhi Muslim Conference and that of the Calcutta session of the League, because, both had given up separate electorates on the condition that their interests would be safeguarded. While the Calcutta resolution enumerated what those safeguards should be, the Delhi Conference had left the safeguards undefined.

Mr. Yamin Khan intervened, stating that the Delhi Muslim Conference stood for separate electorates unconditionally.

Maulana Mahomed Ali, who was the seconder of that resolution, protested against this interpretation, and affirmed that separate electorates were given up on condition that the rights of the community were safeguarded.

At this stage a suggestion was made that the adjourned session of the League should take place before the end of this month. In this connection Amritsar, Lahore, Meerut and Delhi were among the places suggested as venue for holding the session.

Ultimately the Council of the Muslim League adjourned *sine die* after deciding to hold the adjourned session of the League in Delhi on the 30th and 31st March.

Mr. Jinnah was authorised to negotiate with the representatives of various groups in the League regarding the form which the Moslem demands should take, and to place an agreed formula before the League's session.

#### Meeting of Delhi Conference Supporters

A meeting of the supporters of the All-Parties Moslem Conference, which met last December under the presidentship of His Highness the Aga Khan, was held on the previous day *i.e.*, the 2nd MARCH in the evening at Hakim Jamal Khan's residence.

Moulvi Mahomed Yakub, presiding, suggested ways and means to popularise the resolution of the Delhi Conference, namely, that separate electorates could be given up only with the consent of Moslems and provided Moslem rights were safeguarded.

At the adjourned meeting on the next day, Sir Mahomed Shafi explained that Mr. Jinnah had agreed to the Delhi Conference resolution as being in substance the same as that adopted by the Calcutta session of the League in 1927. The general view was that the Councils of both the Shafian League and the Jinnah League should meet on the eve of the next session of the League, and that in the meanwhile the constitution of the League should be so changed as to make it more democratic, the whole object being that after the reunion, there would be only one organisation to be known as the All-India Moslem League.

#### Mr. Jinnah's Proposals for Settlement

Accordingly on the eve of the open session of the League another largely attended meeting of the Council of the League was held in Delhi on the 28th MARCH to settle the programme for the ensuing session. Mr. Jinnah presided.

The following statement prepared by Mr. Jinnah was circulated among the members, giving a brief history of the controversy on the communal settlement since 1924. The statement recalled the resolutions passed by the League at its sessions in 1924, 1925 and 1926. As the proposals were criticised by the Hindu leaders who insisted on joint electorates, certain leading Moslem members, on Mr. Jinnah's invitation, met in Delhi in March, 1927, and formulated the Delhi proposals, stating the basis on which alone joint electorates could be agreed to by Moslems. The statement declared that the Delhi proposals were substantially accepted by the All-India Congress Committee meeting in Bombay in May 1927, and were later embodied in the resolution adopted by the Madras Congress. This response from the Congress led the Moslem League at its Calcutta session to adopt a resolution appointing a sub-committee to confer with the Congress Working Committee for the purpose of drafting a constitution in which the interests of Moslems would be safeguarded, having regard to the principles laid down by the League. The idea to draw up an agreed constitution led to the summoning of the All-Parties' Conference at Delhi on the 11th February, 1929; but, though this conference sat till 11th March, no agreement could be arrived at. The draft proposals of the conference were considered by the Council of the League as not in conformity with the League's Calcutta resolution. Moreover, the Hindu Maha Sabha had practically rejected the Moslem League proposals. Thereafter, the League was not represented by any body, authorised in their behalf, at the All-Parties Conference, as there were fundamental differences created by the Congress resiling from its position adopted hitherto.

The All-Parties Conference in Bombay in May changed the basis of agreement brought about by the Madras Congress and the Calcutta League session. The All-Parties Conference meeting in Bombay struck out a new line and appointed a small committee, with terms of reference, to which the League was not a party. The Committee's report was considered by the so-called All Parties Conference at Lucknow at which the League was not represented, though it was one of the

principal parties to initiate the move by promoting the Delhi Moslem proposals. The Lucknow Conference resolutions were embodied in the Nehru Report. The basic principles of the communal settlement embodied in the Nehru Report were contrary to those whereon Moslem opinion had hitherto expressed itself.

The only occasion when the League gave consideration to the Nehru Report was when it appointed a delegation to the All-Parties Convention ; but the points urged by the delegation were summarily rejected. The League could not, therefore, proceed further with the Convention.

The League further found that it did not stand alone in its difficulties with the Nehru Report. The Congress had merely sanctioned it for a year. The Hindu Maha Sabha would withdraw the support even if a comma were changed. The Sikh League had rejected the report while the Liberal Federation had at first adopted an attitude of benevolent neutrality, and subsequently adopted the Nehru Report, without expression of strong views one way or the other regarding Moslem proposals.

Mr. Jinnah's statement concluded :—"Thus the original conception of bringing about a communal pact or national agreement was not feasible ; and the League, after very careful consideration decided to adjourn the session, and instructed the Council of the League to call the adjourned session before May. The Nehru Report proposals can therefore at best be treated only as counter Hindu proposals to Moslem proposals. And as there is no agreement reached, it is now for the League to take such action and adopt such course as the League may think proper in the best interests of the community and the country."

#### Mr. Jinnah's Draft Resolution

The following is the text of the draft resolution prepared by Mr. Jinnah to accommodate the various points of view in regard to the policy and programme of the Moslem League in respect of the forthcoming constitutional reforms. It is very comprehensive, and tries, as far as possible, to keep to the line chalked out by the League previously. It runs —

"(1) Whereas the basic idea with which the All-Parties' Conference was called in being and a Convention summoned at Calcutta during Christmas Week, 1928, was that a scheme of reforms should be formulated and accepted and ratified by the foremost political organisations in the country as a National Pact ; and whereas the Report was adopted by the Indian National Congress only constitutionally for the one year ending 31st December 1929, and in the event of the British Parliament not accepting it within the time limit, the Congress stands committed to the policy and programme of complete independence by resort to civil disobedience and non-payment of taxes : and whereas the attitude taken up by the Hindu Maha Sabha from the commencement through their representatives at the Convention was nothing short of an ultimatum, that, if a single word in the Nehru Report in respect of the communal settlement was changed, they would immediately withdraw their support to it ; and whereas the National Liberal Federation delegates at the Convention took up an attitude of benevolent neutrality, and subsequently in their open session at Allahabad, adopted a non-committal policy with regard to the Hindu-Moslem differences ; and whereas the Sikh League had already declined to agree to the Nehru Report ; and whereas the non-Brahmin and depressed classes are entirely opposed to it ; and whereas the reasonable and moderate proposals put forward by the delegates of the All India Moslem League at the Convention in modification were not accepted, the Moslem League is unable to accept the Nehru Report.

"The League after anxious and careful consideration most earnestly and emphatically lays down that no scheme for the future constitution of the government of India will be acceptable to Mussalmans of India until and unless the following basic principles are given effect to and provisions are embodied therein to safeguard their rights and interests :—

"(1) The form of the future constitution should be federal, with the residuary powers vested in the provinces.

"(2) A uniform measure of autonomy shall be granted to all provinces.

"(3) All legislatures in the country and other elected bodies shall be constituted on the definite principle of adequate and effective representation of minorities in



every Province without reducing the majority in any Province to a minority or even equality.

"(4) In the Central Legislature, Mussalman representation shall not be less than one third.

"(5) Representation of communal groups shall continue to be by means of separate electorates as at present, provided it shall be open to any community, at any time, to abandon its separate electorate in favour of joint electorate.

"(6) Any territorial redistribution that might at any time be necessary shall not in any way, affect the Moslem majority in the Punjab, Bengal and N. W. F. Province.

"(7) Full religious liberty i.e., liberty of belief, worship and observance, propaganda, association and education, shall be guaranteed to all communities.

"(8) No bill or resolution or any part thereof shall be passed in any legislature or any other elected body if three fourths of the members of any community in that particular body oppose such a bill, resolution or part thereof on the ground that it would be injurious to the interests of that community or in the alternative, such other method is devised as may be found feasible and practicable to deal with such cases.

"(9) Sind should be separated from the Bombay Presidency.

"(10) Reforms should be introduced in the N. W. F. Province and Baluchistan on the same footing as in other provinces.

"(11) Provision should be made in the constitution giving Moslems an adequate share along with the other Indians, in all the services of the State and in local self-governing bodies having due regard to the requirements of efficiency.

"(12) The constitution should embody adequate safeguards for the protection of Moslem culture and for the protection and promotion of Moslem education, language, religion, personal laws and Moslem charitable institutions and for their due share in the grants-in-aid given by the State and by local self-governing bodies.

"(13) No cabinet, either Central or Provincial, should be formed without there being a proportion of at least one-third Moslem Ministers.

"(14) No change shall be made in the constitution by the Central Legislature except with the concurrence of the States constituting the Indian Federation.

The draft resolution also mentions an alternative to the above provision in the following terms :

"That, in the present circumstances, representation of Musalmans in the different legislatures of the country and other elected bodies through the separate electorates is inevitable and further, the Government being pledged over and over again not to disturb this franchise so granted to the Moslem community since 1909 till such time as the Musalmans chose to abandon it, the Musalmans will not consent to joint electorates unless Sind is actually constituted into a separate province and reforms in fact are introduced in the N. W. F. Province and Baluchistan on the same footing as in other provinces.

"Further, it is provided that there shall be reservation of seats according to the Moslem population in the various provinces ; but where Musalmans are in a majority, they shall not contest more seats than their population warrants.

"The question of excess representation of Musalmans over and above their population in Provinces where they are in a minority is to be considered hereafter."

#### Difference in the Moslem Ranks

On the 29th MARCH, on the eve of the open session of the League, serious differences became visible in the Moslem League ranks. The Jinnah League Council which reassembled in the morning, spent two hours discussing whether about 30 members enrolled at the last meeting of the Council had been admitted legally. Those supporting the Nehru Report challenged this, and were apparently in a majority. The Council rose after three in the afternoon.

The Shafi League members, who met under the presidency of Sir Abdul Qadir, selected seven delegates to meet the representatives of the Jinnah League, to bring about an understanding.

The Delhi Moslem Conference promoters also organised a separate meeting

which was attended by about 200 persons under the Presidency of Sir Abdul Qadir. Among those present were Sir Abdur Rahim, Sir Umar Hayat Khan, Malik Feroze Khan Noon, Moulvi Kifayatullah, Khan Bahadur Bhutto and the Ali brothers. This Conference discussed the draft resolution prepared by Mr. Jinnah. The majority of the members were agreeable to the draft with some modifications. They also discussed the situation created by the attitude of Moslem leaders who supported the Nehru report and who formed a substantial section of the Jinnah League. The question whether, in the circumstances, unity between the two leagues with any prospect of a common decision was possible, was discussed.

The whole day was spent by the four schools of Moslem thought in arranging their plans in view of the impending session of the All-India Moslem League on the next day.

The Jinnah League consisted a substantial section of those who would not reject the Nehru Report. The Shafi League section and the Delhi Moslem Conference section considered that the draft resolution prepared by Mr. Jinnah substantially followed the lines of the Delhi Conference resolution.

The Shafi League appointed a delegation of 10 headed by Sir Abdul Qadir, and included Nawab Mahomed Yusuf and Malik Ferozekhan Noon to meet a similar deputation of the Jinnah League to arrange a compromise.

The Council of the Jinnah League refused to consider this request, as it would mean their recognising a rival organisation. Accordingly, the Council adjourned its meeting : but those present informally agreed that ten among them should meet the ten delegates of the other league.

Conversations that followed among both the delegations did not lead to a common understanding, especially, as it was said, the Shafi section wished the principle of separate electorates to be conceded beforehand.

The Shafi section as a body, however, kept it declaring, that, if Mr. Jinnah's draft, which substantially followed the Delhi Conference resolution, was accepted by that League, they would join hands with the Jinnah League, but not otherwise.

Finally, the Council of the Jinnah League appointed a committee of the following seven to consider Mr. Jinnah's draft resolution, and report on the next day when the League opened session :—Mr. M. A. Jinnah, Maulana Abul Kalam Azad, Maulana Mahomed Ali, Malik Barkat Ali, Nawab Ismail Khan, Dr. Shafaat Ahmed Khan and Dr. Saifuddin Kitchlew.

This Committee was thus representative of all the four sections, namely, the supporters of the Nehru Report, Mr. Jinnah's school of thought, the Shafi leaguers and the Delhi Moslem Conference representatives.

### Proceedings of the League—Open Session

The adjourned twentieth session of the All-India Muslim League opened on the 30th MARCH at the Roshan Theatre, Delhi. Mr. M. A. Jinnah, the permanent President, took the chair.

The meeting was very representative. Among those present were Moulvi Mahomed Yakub, Maulana Zafar Ali Khan, Dr. Mahomed Alam, Moulana Shafi Daudi, the Ali Brothers, Seth Haje Abdullah Haroon, Nawab Ismail Khan, Mr. T. A. K. Sherwani, Dr. Kitchlew, Malik Barkat Ali, Dr. Shafaat Ahmed Khan, Mr. Anwarul Azim, Moulvi Syed Murtaza, Nawab Abul Hassan, Mufti Kifayatullah, the Imam of the Jumma Masjid, Raja Ghaznafar Ali Khan, Moulana Abul Kalam Azad, Mr. Mahomed Siddique and Mr. Asaf Ali.

Moulana Mahomed Ali, proposing Mr. Jinnah to the chair, said that under Mr. Jinnah's lead he was hopeful that the movement for unity started on the 3rd of March last, would bear fruit. Moulana Abul Kalam Azad, supporting, said that they could not have chosen a better President.

Mr. M. A. Jinnah, in course of his address, said :

"You have called upon me to take up a very grave responsibility. I say grave, advisedly, with its fullest meaning and implications. We have met here on an occasion which to my mind, really involves an issue affecting the life and death of seventy millions of Mussalmans.

"We have been applying our mind to the question of the future constitution of the Government of India for a considerable time. My statement gives you the history of the steps taken by the League from the 20th of March 1927: but one or two important facts which I want to place before you stand out. First and foremost, remember that the Simon Commission has been commissioned to investigate and enquire into the constitution of the Government of India. They are going on with their work. While they are going on with the investigation and enquiry, we have got before us a very important document known as the Nehru Report or the Nehru Constitution. Are you or are you not going to formulate your policy and programme as regards the future constitution of the Government of India? If you are going to command any respect, if your decisions are going to carry any weight, if you wish the will of Muslim India to be registered, then it can only be accomplished by a united decision. Therefore, it is important for you to bear this in mind.

"I want to appeal to every one to leave aside personal quarrels, and leave aside differences. There is no intelligent body without differences; and the fact of these differences, shows that we are an intelligent people. These differences exist everywhere; but wisdom, statesmanship and discipline require that, while differences do arise we should be in a position to smoothen them and march forward with a united decision. That is the test of all organised, well disciplined, well-trained, experienced bodies wherever you go in the world. Are you going to rise to the occasion? Are you going to show to the world that we are a body who came to one conclusion and one decision which we considered to be in the best interests of our country. This is the task and the responsibility which rests upon your shoulders to-day. The manner in which you conduct yourself here will be the acid test of the respect and influence you can command.

"I do not wish to go into the question of the draft resolutions before you. I want to make one thing quite clear. There is an impression that the draft resolution which I put before the Council of the League contains my personal ideas. That is not correct. I have only carried out the task entrusted to me by the Council on the 3rd of March to consult the various groups and schools of thought as far as possible and place before them a draft which would command the support of a large body of people. I have therefore taken the ideas from various persons in accordance with these instructions and to the best of my ability and judgment. I have tried to place a draft which in my opinion carries with it the majority's opinions. But after all it is a draft only and the ultimate decision rests with the Subjects Committee."

Finally Mr. Jinnah said: "I will once more impress on you that a great deal of water has flown down the Jumna since 1927, when we started the Delhi Muslim proposals. Events are taking place fast. Things are moving. They are not going to wait. We have therefore to consider that it is absolutely essential that united Moslem opinion should be recorded through the All-India Muslim League, so that not only those engaged in considering the question of the future constitution for India, but the whole world should know what our opinion is before it is too late. Let our dominant note be to act in the best interests of the community and the country.

#### POSITION OF SHAFIAN LEAGUE

Moulana Mohamed Ali asked whether the way for unity would be paved by allowing the Shafi section of the League to become members of this League.

Mr. Jinnah ruled that those members whose names were already on their register were entitled to vote. He, as President, would in fact extend to them a special welcome to come back and rejoin them; but the rules of the League must be complied with.

A number of persons asked whether Moulana Mahomed Ali had any application from members of the other sections. The Moulana said he had no applications but merely wanted the League not to slam the door.

Mr. Jinnah observed that enrolment of new members could be done by the Council only; but for that purpose, the session's programme could not be held up, and they must proceed to elect a Subjects Committee.

Mr. Yamin Khan, Hajee Abdulla Haroon and others also addressed enquiries. They were told that a large number of members of the Shafi section were still on the rolls of the All-India Moslem League, and could therefore come back and record their votes. The open session was then adjourned till next day.

#### SHAFI-ITES' MEETING

The members of the Shafi League met on the same evening at the residence of Mian Mahomed Shah Nawaz, and reviewed the situation arising out of the two days' conversations in the League circles. It was decided to issue a statement and address a letter to Mr. Jinnah, pointing out that inasmuch as he had not fulfilled the conditions arrived at for the amalgamation of sections of the League the Shafian section was unable to join his League.

The Shafi section having declined to join the All-India Muslim League the question arose as to whether the latter would itself be able to frame a resolution which would carry with it the support of the majority in the League. The meetings of the Subjects Committee held on the 30th March in the night and on the next morning promised no such prospect.

#### Subjects Committee Meeting

On the *31st morning* the Jinnah League itself split into two. One section led by Moulvi Mahomed Yakub and the Ali Brothers walked out in protest and held a conference with the other leaders of the Delhi Conference section at Hakim Jamal Khan's house. Thus while the Shafi section insisted on the Delhi Conference resolution being mainly adopted, Maulvi Mahomed Yakub and the Ali Brothers group insisted that any resolution that the League would pass should generally follow the line of Mr. Jinnah's draft.

The majority in the Subjects Committee consisted of those who opposed the Delhi Conference partisans' view. But, there was a difference of opinion as to what should be done. Raja Ghaznafar Ali Khan, for instance, moved that the League should adopt a resolution practically on the lines of the Calcutta proposals made to the All-Parties Convention, but without making any specific reference to the Nehru Report. This proposal was, however, not acceptable to the majority led by Maulana Abul Kalam Azad and Mr. T. A. K. Sherwani, who wished to take a verdict on the Nehru Report and to adopt it with such amendments as were put forward at the Convention. While this deadlock was on, Mr. Jinnah went to Hakim Jamal Khan's house to persuade Maulvi Mahomed Yakub and the Ali Brothers to return to the League, and arrange a compromise. The latter wanted an assurance that Mr. Jinnah's draft resolution would be adopted substantially. Mr. Jinnah returned to his League, but found no chance for compromise.

The Subjects Committee next discussed a letter received from Sir Mahomed Shaï which emphasised that unity was not possible unless the principles underlying the Delhi Conference resolution were accepted. Some members made angry remarks against the support of the latter.

Mr. Jinnah said that he was a Nationalist, but he must say that there were three sections among Muslims, one desiring the adoption of the Nehru Report, the second standing for the rejection of the Nehru Report and the third standing for a compromise.

Maulana Mahomed Ali reiterated that the Shafi group should be taken in.

Mr. T. A. K. Sherwani (Swarajist) remarked that they should not give any quarter to "rebels".

Maulana Shaukat Ali observed that Mr. Sherwani's party was working for the acceptance of the Nehru Report on the League platform.

#### "WALK-OUT" BY DELHI CONFERENCE SECTION.

Later Maulana Shaukat Ali and a few others belonging to the Delhi Conference section walked out as a protest against Mr. Sherwani's remark, and held a meeting at Hakim Jamal Khan's house, where they discussed Mr. Jinnah's draft resolution.

**Resolution on Nehru Report**

The following is the text of the resolution passed in the Subjects Committee by a majority :—

"Whereas complete boycott of the Simon Commission by the Moslem League as well as by all other political organisations in the country necessitated the formulation of an agreed constitution by the people of India for India ;

"Whereas the basic idea with which the All-Parties' Conference and the Convention were summoned at Lucknow and Calcutta, respectively, was that a constitution should be formulated, accepted and ratified by the foremost political organisations in the country as a national pact ;

"And whereas the decisions of the All-Parties' Convention of Calcutta embody in principle the majority of the demands of the Mussalmans contained in the Delhi proposals and the resolutions of the Calcutta League of 1927, and thus pave the way for political rapprochement of various communities of India ;

"This meeting of the All-India Moslem League accepts the decisions of the All-Parties' Convention held at Calcutta in 1928 as the common national demand of India as against the British Government and in regard to Settlement of inter-communal differences ; and it records its approval of the principles underlying the decisions of the said Convention subject to the following modifications :

"(1) that one-third of the elected representatives of both the Houses of the Central Legislature should be Mussalmans ,

"(2) that in the Punjab and the Bengal in the event of adult suffrage not being established, the voting ratio of the Mussalmans should be in accordance with the population in the province ;

"(3) section 13 (2) of the Nehru Report should read as follows :—"That in case of war or rebellion alone the Central Government and Parliament shall have powers necessary to suspend or annul the acts, executive or legislative, of Provincial Governments ;

"(4) that the divisions of subjects in schedules 1 and 2 of the Nehru Report should be revised so as to make the provinces as fully autonomous as possible ;

"(5) that Mahomedan Law, as at present recognised by the Indian Courts, shall not be amended or interfered with by means of any legislation in the Central or Provincial Legislatures except by a majority of the Mussalman members of these legislatures."

This resolution was moved by Mr. Abdur Rahman Ghazi and was amended by Mr. S. A. Brelvi, whose amendment is incorporated in the above resolution as proviso No. 4.

**Pandemonium in Open Session**

After the resolution had been passed and amendments moved by Mr. Siddiq were declared rejected, the Subjects Committee decided to hold the open session of the League. A number of people among the delegates and visitors were shouting that the open session should begin. Mr. Jinnah had not however arrived, and Mr. Yusuf Imam accordingly proposed and Mr. Sherwani seconded that Dr. Mahomed Alam do take the chair.

This was the signal for rowdiness. The audience rose almost to a man, and a number of them waved their hands or sticks and shouted that they did not want Dr. Alam as President. This brought in about half a dozen policemen, who had been watching the events and anticipated trouble.

The audience, consisting of a hundred persons, was moving towards the platform. There was a regular pandemonium. Dr. Alam, however, called upon Mr. Abdul Rahman Ghazi to move his main resolution, which he did amidst noise, without a speech. Mr. T. A. K. Sherwani, seconded it without a speech, and soon Dr. Alam was heard declaring it passed and dissolving the session. But all the time the pandemonium was on and the audience were protesting against the proceedings.

Just at this moment when feelings were running high, Mr. Jinnah, who had been to Hakim Jamal Khan's house returned, and was greeted with cheers by the audience. Mr. Jinnah took the chair, and immediately thereafter, there was pindrop silence, when he declared that as President, he adjourned the session till such

date as the Council of the League would decide to call it. Thus trouble was averted, and various people dispersed.

Mr. Jinnah returned to Hakim Jamal Khan's house, where he continued his talks with Maulvi Mahomed Yakub and the Ali Brothers' party while Dr. Alam and Maulana Abul Kalam Azad's party proceeded to Dr. Ansari's house.

The Muslim League thus was adjourned again, and instead of improving the position worsened the differences in the ranks of the League.

Next morning, the 1st April, a meeting of the All-India Moslem League was held with Mr. Jinnah in the chair. The members of the All-Parties' Moslem Conference who had walked out from the Subjects Committee of the League yesterday were present, as well as the pro-Nehru group.

At the outset, an objection was raised that the meeting of the Council was invalid under the constitution. It was pointed out that the last meeting of the Council had been adjourned *sine die* while a fresh meeting could only be called by the Secretary. Although Mr. Jinnah, the President of the League, had intimated to the Secretary last evening to inform the members of the meeting no regular notice was given. It was further stated, on behalf of the League's office, that they were not able to inform all the members, not even those who were present at the headquarters. That being so, Mr. Jinnah held that the objection was in order, and adjourned the meeting without transacting any business.

#### Maulana Abul Kalam Azad's Statement

In an interview to the Free Press of India, Maulana Abul Kalam Azad, tracing the history of the negotiations between the different sections of the Moslem League and their ultimate breakdown, said :—

"The day previous to the meeting of the Council of the All-India Moslem League on 3rd March, Mr. Jinnah and I met, when he told me that the resolution passed by the Muslim All-Parties' Conference held at Delhi was substantially the same as the resolution adopted by the All-India Muslim Leagues' Calcutta session of 1927, and that the main feature of both the resolutions was that joint electorates would be acceptable to the Muslims on the fulfilment of certain conditions. He also informed me that he had met and discussed the matter with Sir M. Shafi, who also held the same opinion on the question, and that Sir M. Shafi was prepared to join the League along with his party. Mr. Jinnah was so confident on this point that he declared that if the modifications in the Nehru report suggested by the delegation of the League held at the Calcutta Convention were accepted, he would get the signature of Sir Mahomed Shafi and his party to the settlement. Mr. Jinnah's object, in expressing this view, was that such an atmosphere existed among the Muslims that if myself and my co-workers helped him, he would be able to secure united decision by the League.

"I did not agree with Mr. Jinnah's view that there was no substantial difference between the resolutions of the Delhi All-Parties' Conference and the Calcutta 1927 session of the League nor did I share his confident feeling that such an atmosphere existed. I frankly expressed my view to Mr. Jinnah; but at the same time, I assured Mr. Jinnah that, so far as my co-workers and myself were concerned, we would do everything in our power to help him in bringing about unity in the Council, if the League met at Delhi on 3rd March.

"At that meeting, Mr. Jinnah expressed the views to which I have referred and we gave him full assurance regarding our readiness to help him in the work of bringing about unity in the ranks of the League.

"The Punjab members invited the session to Amritsar; Mr. Jinnah suggested that it should be held at Delhi. I successfully persuaded my Punjab friends to withdraw their invitation and agree to the session being held at Delhi.

"When the Council met at Delhi on March 28, the first enquiry the members made was regarding the steps taken by the Shafi Party to help in bringing about a reunion. The members were informed that a deputation from the Shafi League would meet the Council at 3 o'clock the same day. At 3 o'clock the same day the members were informed that a deputation consisting among others, of Sir Abdul Quadir, Sir M. Iqbal, Nawab Mahomed Yusuf and Malik Feroze Khan Noon had

arrived there and were waiting in another room in the office. The President requested the Secretary to invite them to the Council meeting : but the deputation refused and said that they had come to consult Mr. Jinnah alone.

"Mr. Jinnah thereupon went to meet them, and returned an hour later, and announced that the deputation agreed to discuss matters only if the Council agreed to adjourn its meeting and hold a talk with them informally. The President adjourned the Council meeting and requested the Secretary to invite the deputation. As the Secretary did not return for some time, the President himself went ; and returning he informed the House that the deputation would negotiate if the Council would elect 10 representatives for the purpose. Mr. Fazal Ibrahim proposed that 10 representatives be elected. The members of the Council naturally received the proposal with resentment and were not prepared to take any action that would be tantamount to recognising the Shafi League. Mr. Mahomed Ali agreed that the All-India Muslim League could not recognise the Shafi League ; but urged, that the meeting being only an informal one, there was nothing wrong in selecting a few representatives to meet the deputation. But the members of the Council were not prepared to accept even this view. Dr. Alam and others strongly objected. Mr. Shaukat Ali appealed to the members to allow representatives to be elected informally. He said that if as a result of the meeting of the representatives with the deputation unity was not secured they would not be blamed, but the Shafi Party would not be able to face the public. Thereupon, opposition was withdrawn, and the House agreed to informal election of representatives and it was left to Mr. Jinnah to choose them.

"The representatives then met the delegation. After some discussion, the delegation clearly stated that they had no knowledge of the facts mentioned by Mr. Jinnah regarding his interview with Sir M. Shafi, and that all that they were given to understand was that the All-India Muslim League was prepared to accept the resolution of the Delhi Conference and that they would not have come there to meet the Council, if they had known that the League would not do so, and that finally no rapprochement could be secured between them and the All-India Muslim League until the latter insisted on the retention of separate electorates.

"In these circumstances, it was clear that there could be no possibility of agreement between the Shafi League and the All-India Muslim League ; and the negotiations broke down. Soon after, the Ali Brothers had a discussion with the delegation and sought to persuade them to rejoin the League but without success."

"The Council meeting was then resumed, and a Committee, consisting of representatives of the three sections of the League, was appointed to draft an agreed resolution regarding the Nehru Constitution. In the Subjects Committee meeting I made it quite clear that I personally did not consider modifications in the Nehru Constitution necessary. But, realising that a large section of the members of the League considered modifications to be essential for safeguarding the rights and interests of the community, I and my co-workers were prepared not to come in the way of a united and agreed resolution being passed by the League.

"Mr. Jinnah and Mr. Mahomed Ali said that they could not agree to any resolution which in expressing Muslim demands, did not reject the Nehru Constitution. We considered our position. Though naturally we could not go to this length, we were prepared to agree to any draft that was acceptable to the largest majority. On this basis, Mr. Ghazi Abdur Rahman's resolution was framed and accepted by us, and carried in the Subjects Committee by 84 to 7 votes. Meanwhile all possible efforts were made by those representing the Shafi League and the Delhi Conference to obstruct the work of the Subjects Committee. These dilatory tactics were adopted because they realised the overwhelming force in the League supporting the Nehru Constitution. They sought every means to add to their own numbers without success. On the morning of the 30th March, I was informed by several reliable citizens of Delhi that attempts would be made to break up the session of the League and that for this purpose a large number of visitors' tickets were sold to secure admission of rowdies in the League meeting. Thus, on the 31st March, when the session of the League commenced, a large number of visitors entered and created scenes which have been fully described by Dr. Alam in his statement.

"From all that I have said it would be clear to every impartial mind that we did all we could to make it easy for the members of the Shafi Party and of the Delhi

Conference to join the League. If an agreement could not be brought about the responsibility should be laid at their door, and not at the door of those who were prepared to welcome them. One thing clearly emerges from the session of the League, namely, that there is an overwhelming majority in it in favour of the Nehru Constitution and that opponents who have no argument to prevail against the majority, tried to resort to these deplorable tactics in order to gain their object."

#### The League Secretary's Statement.

The Secretary of the Muslim League issued an official report of the open session of the League and the meeting of the Subjects Committee that began on 28th March and ultimately broke up in confusion on 31st March.

The Secretary says that the members who walked out of the Subjects Committee meeting on the 31st March were about ten in number, including the Ali Brothers, Maulvi Mahomed Yakub, Mr. Shafi Daudi, Nawab Mahomed Ismail Khan. Describing the rowdyism in the open session on 31st March, the Secretary said :

"While the Subjects Committee meeting was going on, a report was received by the Secretary that a number of visitors were trying to force entrance through the main gate, and were handling the volunteers roughly. After some difficulty, they were persuaded by the Secretary to wait for some minutes until the Subjects Committee finished. The visitors were admitted to the hall, on the understanding that they should not disturb the meeting, and those members of the Subjects Committee who were not sitting on the dais were requested to take their seats there. The meeting of the Subjects Committee concluded at 5 P. M. as the time announced for the commencement of the session of the League was 4-30 P. M. As the President did not arrive in time Mr. Yusuf Imam proposed and Mr. Sherwani seconded that Dr. Alam should preside over the session. The proposal was not put to vote.

"As soon as Dr. Alam took the chair, an uproar was created by a party of thirty who had come determined to break up the meeting. In spite of the uproar Dr. Alam asked Mr. Ghazi to move his resolution. Mr. Ghazi did so without making any speech. In view of the rowdyism and noise created by those who did not want the work of the League to be carried on, Dr. Alam declared that he would allow two minutes for the amendments to be moved. Mr. Sadiq who wanted to move the amendment could not do so on account of the uproar, although he remained standing. As order was not restored, Dr. Alam put the resolution to vote and declared it carried and intimated that the meeting had been dissolved, which words might have been heard only by a few people on account of the uproar.

"There were three more resolutions to be dealt with which were passed by the Subjects Committee, and were on the list of business. The uproar continued; and soon after Mr. Jinnah arrived and enquired whether the Subjects Committee had completed the work, and what the reason for uproar was. The Secretary and some other members informed Mr. Jinnah that some rowdies were bent upon disturbing and when the Subjects Committee was over the session of the League commenced with Dr. Alam as Chairman and Mr. Ghazi's resolution was moved, seconded and declared carried by the Chairman. Mr. Jinnah was also informed that this was done in a hurry owing to disturbance. The Secretary also informed Mr. Jinnah that he himself was not satisfied with the manner in which the resolution was declared as passed. Thereupon, Mr. Jinnah addressed the meeting and adjourned the conference *sine die* and declared that the Council of the League would meet to discuss the situation.

"The office of the League received information from several sources two days previous to the League's meeting that arrangements were made by certain interested parties to hire rowdies and get them admitted to the meeting as visitors with a view to create disturbance and break up the meeting. On the morning of the second day of the session, a poster declaring that "slaves of the Hindus" had obtained control of the League, had been broadcast throughout the city. One of these posters was seen being carried by one of two of the rowdies who had created the disturbance in the session."



**Delhi Conference Party's Statement**

Maulvi Mahomed Yakub, the Ali Brothers, Nawab Ismail Khan, Mr. Faruqui, Mr. Fazal Rahimtullah, Nawab Mahomed Yusuf, Mufti Kifayatullah, Haji Abdullah Haroon, Maulvi Mahomed Shafee Daudi and 38 others issued the following statement to the Press ;—

"We have noted with great pain that those who desired to make it out that the Nehru Report and constitution constituted the agreed demand of India, acceptable among others, to that very large and important minority in India, the Moslem community, were using every means in their power to capture some Moslem organisation or other for the time being and declare that a resolution of it, passed through a snatched division, was the deliberate and considered verdict of the Mussalmans of India. In these circumstances, many of us although very old members of the All-India Moslem League, had purposely refrained from taking any part in the deliberations of the League, in its sessions held at Calcutta. We feared that in the atmosphere then prevailing at Calcutta, our participation might make the task of Mr. Jinnah in bringing the henchmen of the Nehru Committee among the moslems to reason, which was already difficult, still more so, and that the cleavage between them and the great bulk of the Mussalman community might grow deeper and wider.

"The resolution, which was passed by the Calcutta sessions of the League attacking our motives in holding the All-Moslem Parties' Conference for the purpose of bringing about maximum agreement among all sections of Mussalmans, made matters worse. We decided not to have anything to do with that section of the League. In February last, however, when Mr Jinnah arrived in Delhi for the session of the Legislative Assembly, he expressed a strong desire to bring about union between the two sections.

"Meanwhile Sir M. Shafi also happened to come to Delhi ; and taking advantage of his presence, an interview was arranged between him and Mr. Jinnah, after which both expressed themselves as satisfied with the views of each other and the prospect of unity appeared exceedingly hopeful.

"Following this interview, Mr. Jinnah called a meeting of the Council of his League on 3rd March. We readily responded to his invitation, and attended the meeting. At this meeting, Mr. Jinnah made a strong and fervent appeal for unity, which was supported with equal enthusiasm by all of us. It was then resolved to call the adjourned session of the All-India Moslem League at Delhi on the 30th and 31st of March. At the same time, Sir M. Shafi, after holding a meeting of his council at Lahore, issued a circular letter inviting the members of his section of the League to Delhi on the same dates. It was expected that a joint session of both sections of the League will be held in an atmosphere of amity and goodwill.

"But when the Council of the Moslem League presided over by Mr. Jinnah was held on the 29th, we were grieved to find that a very different and antagonistic spirit prevailed among the section of the members whose support for the Nehru Report was well-known. They not only treated the members of the Shafi League who had come all the way from Lahore with scant courtesy ; but taking advantage of the packed Council which they had managed to elect at the last Calcutta session of the League, they appeared determined to negative all the proposals which were forwarded from our side with a view to help the cause of unity. It was evident that the supporters of the Nehru Report had worked themselves up into a frame of mind in which a reasonable compromise and conciliation had no place. They showed a callous disregard of the consequences that their attitude may lead to. They openly avowed that they were determined to carry things in their own fashion. They brought into use language which reflected no credit either on themselves or on the organisation in the name of which they purported to act. Taking all these factors into consideration, we thought it desirable to withdraw and let them do things as they pleased, leaving it to public opinion to finally arbitrate between us. In fact the situation left us no other alternative."

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## The Bengal Provincial Conference

The Bengal Provincial Conference was held at Rangpur on the 30th and 31st March 1929 under the presidency of S. Subhas Chandra Bose, amid great enthusiasm and excitement, in a beautifully decorated shamana erected for the occasion. The proceedings commenced at 4 P.M. with the singing of national songs after which S. Nalini Mohan Roy Choudhury, Chairman, Reception Committee, welcomed the delegates in a speech which was much applauded and appreciated. S. Subhas Chandra BOSE then rose amidst applause to deliver his presidential address. In the course of his speech S. Bose said :—

"Standing on this sacred spot one is naturally reminded of the dreamy past of the land of Varendra, Gaur and of the achievements of the Pal Kings, of the wonderful prowess of its rulers and of the magnificent development of the Bengalees in Art, Literature and all other phases of life one thousand years ago. This thread of worn-out history may seem to be a happy nightmare now but it is an achievement to which every Bengalee will look back with pride and glory.

"In spite of numerous divisions and sub-divisions, our Bengal is a united whole with all the wealth of nature lavishly showered on her. In the midst of all its diversities runs an absolute truth which has manifested itself in all phases of Bengal's history whether in literature, philosophy, religion and in the fight for freedom. Bengal's earth and water are but the outward manifestation of that truth. Bengal's civilisation has not burst into full glory in one day, and to achieve its full realisation it has got to take stock of the past

"Bengal has a message of her own to deliver to the world. That message is the sum total of life and history of Bengal as a whole, and as she tried in the past to make that message heard, was doing it even now. She would continue to do so in future. That message was ingrained in the character of Bengal. The heart of Bengal is always for Diversity, Harmony and Fraternity. Bengal is always for novelty. Bengal's innate nature is always dynamic and not static. He might as well be called a "revolutionary." From the Vedic age down to the present moment, history abounds with instances to show that she is always moving and assimilating.

"Truth alone is our ideal and that explains why inspite of many inroads on Bengal in culture, civilisation, literature, religion, she had always assimilated the truth of the newcomers, keeping her individuality intact all the while. Through stress and efforts of thousand years, Bengal had all along maintained her individuality through weal and woe, joys and sorrows, responding at the same time to new ideas which came upon her. As a result of this thought "Revolution", Vaishnavism and Brahmanism flourished in Bengal. Efforts in this direction are still going on, but to achieve success we must abolish all caste system, or convert all castes into Sudras or Brahmins. The former has been tried by Vaishnavs and Brahmos, but is not successful. It should now be decided which of the latter means is to be adopted.

"As in religion so in literature Bengal had manifested herself in diverse ways. Her Vidyapati and Chandidas, Mukundaram and Bharat Chandra, Kasiram, Kirtiyas and Ramprasad stand as monumetal examples of her new discoveries in the domain of thought and culture. Bengal does not forget the contribution made to her literature by the Mussalmans and it was here that her indissoluble entity between the two communities has been formed which had weathered many storms in the past. In a word, Bengal as she is to-day, is the child of universalism irrespective of any caste and creed.

### DREAM OF NEW INDIA OF MAN-MAKING

"But a reaction set in for a time which received a rude shock as she came in contact with western civilisation. True to our characteristics, Bengal woke up to make her contributions in the wake of the new movement inaugurated by Raja Rammohan Roy. The birth of the Brahma cult saved Bengal from the attack made on her by the Christian missionaries. The unfinished work of the Raja found an impetus when

Ram Krishna Paramhansa and Swami Vivekananda came into the field towards the end of the 19th century. This renaissance of religion reflected on her literature, philosophy and in all spheres of life and Hindus and Mussalmans together united to preach this gospel of brotherhood. It was Swami Vivekananda who gave a new turn in the history of Bengal as he had repeatedly said that man-making was his mission in life.

"In the work man-making, Swami Vivekananda did not confine his attention to any particular sect but embraced the Society as a whole. His fiery words—'Let a new India emerge through the plough of the cultivators, through the baskets of the fishermen, cobblers, and methars, through the workshop and from the huts and bazaars'—are still ringing in every Bengalee home. This Socialism did not derive its birth from the books of Karl Marx. It has its origin in the thought and culture of India. The gospel of democracy that was preached by Swami Vivekananda has manifested itself fully in the writings and achievements of Deshabandhu Das who said that Narayan lives amongst those who tills the land and prepares our bread by the sweat of their brow, those who in the midst of grinding poverty have kept the torch of our civilisation, culture and religion burning.

"The first step towards nation-building is the creation of true men and the second step is organisation. Vivekananda and others tried to make men while Deshabandhu tried to create political organisation and he created such an organisation that extorted the admiration even of the Britishers.

"Now-a-days, new thoughts of Socialism are travelling to India from the west and it is revolutionising the thoughts of many, but ideas of Socialism are not a novelty in this country. We regard them as such because we have lost the thread of our own history. It is not proper to take any school of thought as unmistakable and absolute truth. We must not forget that the Russians, the main disciples of Karl Marx have not blindly followed his ideas and finding it difficult to apply his theories they have adopted a new economic policy consistent with possession of private property and ownership of business factories. It would be therefore folly to rely for enlightenment of thoughts on Russia. We shall build our own society and politics according to our own ideals and according to our needs. This should be the object and aim of every Indian.

"We have now arrived at the third stage of the political struggle that was begun in the 20th century. The first stage was the Swadeshi era, the second was the period of revolutionaries and the third is the stage of non-co-operation and socialism. Many might think that our efforts in the fight for Swaraj have gone in vain, but no useful attempt has ever failed. As a result of the last 25 years' agitation we have regained our self-respect and self-confidence. The country is gradually being organised, and there is no power on earth that can deprive us of our birth right. The problem is how soon we shall achieve that.

"How shall we be able to free our country without recourse to armed revolution? Such a question is on many lips. My reply is that it is only our co-operation that enable a handful of Englishman to rule our country. When our mass movement will be more powerful and countrywide the desire for co-operation die a natural death and our policy of non-co-operation will be really successful. The only weapon that we can use to achieve this is propaganda. It was through this propaganda that the English were successful at the last war. It is propaganda that make the Bolsheviks so powerful. This is so in the case of China.

"Propaganda is the secret weapon of the British. The Bolsheviks have mastered it; that is why the British are mortally afraid of them.

"Referring to boycott of foreign cloth Mr. Bose said that in spite of all their strength the British had to depend on Indians for their daily food. If Indians can without any break of peace could bring the boycott movement to a successful issue and non-co-operate with the Government, then a situation might occur when the British would have no other way but to yield.

"The present year is the year of our preparation. If we work in right earnest we shall be able to resort to civil disobedience and no-tax campaign next year. There is no doubt that in the Lahore Congress the resolution for Complete Independence as the goal of India will be adopted. From January next we shall have to start an intensive agitation in the country and should necessity arises we shall give up or-

positions in the Legislatures. Such men should be sent to the Councils by the Congress as would not hesitate to come out. If necessity arises we shall come out like the Sein Finners without taking the oath of allegiance and shall form a national assembly of our own outside the councils.

"Huge preparation is necessary if we are to attain success in our objective next year. The time has come when the nation must throb with new enthusiasm and fresh determination. Incidents that have recently occurred show that the bureaucracy will not easily give our birth-right. Even the Britishers admit that every nation has the right to mould its own destiny. But power-proud as they are they regard themselves as the arbiters of the black races. This explains the new awakening in Asia. This is a fight for self-realisation India cannot remain aloof from this current.

After referring to the failure of dyarchy S. J. Bose said "The British Parliament has sent seven Britishers totally ignorant of Indian conditions to determine the future constitution of India. The Commission have toured round the country under ample police guards and made enquiries according to their own lights. The people of the country have thought it beneath their dignity to co-operate with such a Commission and by this non-co-operation with the Commission the Indians have incurred the displeasure of the Britishers. Under the leadership of Mahatma Gandhi the people of this country have started the campaign of boycott of foreign goods. The incident connected with the first bonfire in Calcutta must be fresh in the minds of all. That incident has manifested the grim determination of the people and has also shown how insurmountable difficulties will be placed in our way. We have got to overcome those difficulties.

"During the last few days a new cloud has made its appearance on the political horizon of India. Arrests have begun in this country as a result of terror of Communist agitation in Russia. Similar incidents have occurred so many times during the last 20 years that there is nothing new in it. The simple fact that if the people of the country are contended and if the administration of the country is entrusted to their hands, all difficulties and discontent will vanish, is beyond the pale of intelligence of the power proud bureaucracy. It is because of this that they are launching repression to kill discontentment but this attempt is only increasing discontent. Nobody should think that this is the end of the repressive era. We should be prepared for such calamities every moment. For, until we achieve Swaraj waves of such repression will one after another rage upon the country.

"We have now got to consider our duty with regard to these arrests. It teaches us three lessons:

"(1) Until the Labour movement is able to gather strength possibilities of repression will remain. It is therefore necessary to establish unity between the different labour organisations

"(2) The Labour Commission ought to be boycotted. I cannot understand why the All-India Trade Union Congress has not yet declared a boycott of the Whitley Commission. Boycott of the Simon Commission on the one hand and co-operation with the Whitley Commission on the other will be inconsistent. Not to speak of higher considerations, the Whitley Commission should be boycotted as a protest against the arrests of labour leaders. Many among the arrested leaders are for the boycott of the Commission. Therefore the best way to show sympathy with them will be to boycott the Whitley Commission.

"(3) There ought to be closer co-operation between the Labour movement and the Congress. Attempts should be made to avoid bitterness and introduce mutual help. The history of China and Ireland shows that freedom movement in those countries could not have achieved success without the co-operation of Labour parties. Unless the huge power of Indian Labour is organised we won't be able to gain political or economic freedom."

Concluding S. J. Bose appealed for strengthening Congress organisation and detailed the programme for the next 10 months during which they will have to make preparations for the next year's struggle. He then detailed the programme as follows:—

- (1) Construction of Desbandhu Memorial Building.
- (2) Curtailment of jute cultivation.

- (3) Boycott of Simon Commission and its co-operators.
  - (4) Boycott of foreign cloth and use of Khadi
  - (5) Boycott of foreign goods.
  - (6) Establishment of national museum.
  - (7) Seeking election to local Boards, District Boards, and Bengal Council
  - (8) Conduct of cases against national workers.
  - (9) Campaign for prohibition.
  - (10) Removal of untouchability, uplift of womenfolk and other social work
  - (11) Redress of local grievances.
  - (12) Students' movement, youth movement and physical culture
  - (13) Help to Labour movement and (14) propaganda work
- To carry out the above programme S. Bose appealed for 5 lakhs of Congress members, two lakhs of rupees and 1000 workers in every district and hoped that Bengal will not fail to respond to the call of the nation as she had done in the past.

### Resolutions

The conference passed the following resolutions on the 30th and 31st. The first four resolutions expressed condolence at the deaths of Lala Lajpat Rai and ten Congress workers of Bengal, and felicitations at the incarceration of 12 Congress workers of Bengal, Mr Sambamurti of Madras and Mr Bakshi, Editor of 'Forward.'

5. *Boycott of Labour Commission.*—"This conference calls upon the people of this country, specially the "labourers", to boycott the "Labour Commission" which was recently appointed by the British Government and which this conference considers as detrimental to the interests of labourers."

6. *Repression Condemned.*—"This conference strongly condemns the policy of repression launched by the bureaucracy in the indiscriminate house-searches and arrest of prominent leaders and workers in the case of labour and the oppressive treatment meted out to them in prisons."

7. *Boycott of British Goods.*—" (a) This conference earnestly requests the people of the country to boycott British goods and specially all kinds of foreign cloth, in order to help the early establishment of Swaraj in India and calls upon them to carry on a vigorous propaganda in that behalf. (b) This conference earnestly requests the people of the country to use swadeshi goods even at great sacrifice."

8. *Bonfires.*—"In view of the fact that the bureaucracy has been trying to stop bonfires in order to check the movement for the boycott of foreign clothes and that in that connection there was oppression by the police on the crowd at Sradhananda Park on the 4th March last and that Mahatma Gandhi and S. Kiran Sankar Roy and other workers were convicted and sentenced, this conference requests the people to give a suitable reply to these by organising bonfires as far as possible in all towns and villages."

9. *Programme of War.*—"This conference earnestly calls upon the people of the country to give an early effect to the programme of work laid down for the current year by the last Indian National Congress and its Working Committee for achieving swaraj and also the appeal made in accordance with the said programme by the President, B. P. C. C., for the collection of two lacs of rupees in Bengal and enrollment of at least one thousand volunteers in every district and 5 lacs of members of the Congress in Bengal."

10. *Volunteers.*—"This conference puts on record its appreciation of the ideal and organisation of the volunteers' corps formed on a new plan in Calcutta on the occasion of the last session of the Indian National Congress and hopes that a permanent volunteer corps will be organised in Bengal on that plan and ideal for carrying on the work of the Congress."

11. *Jute Propaganda.*—"This conference fully approves of the propaganda that is being carried on by the B. P. C. C. for reducing the cultivation of jute, in view of the fact that the cultivators and merchants of the country are repeatedly suffering losses for the last 2 or 3 years as there has been more production of jute than the demand for it."

12. *Labour Movement.*—"This conference resolves that the Congress organisations should help the labour movement in all possible ways in as much as the bureaucracy

has been trying to crush the growing labour movement in the land by putting their prominent leaders under restraint.

**13. Local Bodies Election.**—"This conference resolves that the persons who are nominated by the Congress as its candidates for election to the Corporation, Municipalities and District Boards and other institutions should try in those organisations to better the health and residents of its labourers and also for the introduction of compulsory free education for them and other beneficial measures.

**14. Peasant Movement.**—" (i) This conference is of opinion that Swaraj has no meaning unless the labourers and peasants in India are made free from bondage ; therefore it resolves that the Congress should adopt the following as its programme to guide the masses to the path of self-realisation and freedom :

(a) To form all over the country organisations of those peasants who till the soil with their own hands (b) To form organisations of all labourers engaged in manual labour and work of conveyance according to their trade or calling (c) To form organisation of labourers of middle classes, such as clerks and teachers, according to their vocation (d) To form organisation of the labourers of the lower middle classes like the poor artists, shop keepers, hawkers and tailors according to their calling.

(ii) This conference requests the A. I. C. C. and the B. P. C. C. to devise ways for establishing closer relations between the Congress and the peasants' and labourers' organisations.

**15. Co-Operative Societies.**—"Resolved that co-operative societies for giving loan, effecting purchases, granting agricultural loan for producers be established on national lines under the guidance of the B. P. C. C. for freeing the masses, who are exploited, oppressed and impoverished, from the clutches of the capitalists and money-lenders.

**16. Youth Movement.**—"This conference fully welcomes the recent awakening among the youths and also the movement among the students, youths, and ladies of the land and requests all Congress workers and organisations to help them in all possible ways.

**17. Boy Scout Movement.**—"Whereas the anti-national Boy Scout movement with the help and guidance of the Government is spreading and has become popular now-a-days all over Bengal specially, in H. E. schools and other organisations for youths and as a result a slave mentality is growing unconsciously among the impressionable and imitative youths which is so detrimental to the sense of nationality, this conference requests the B. P. C. C. to see that this movement does not any further spread and to help the formation of the character of the youths by starting at an early date all over the country a great movement for imparting to them a regular and disciplined training in drill and organising national exercises for their physical and mental development.

**18. Women Movement.**—"Whereas the assistance of the ladies is essential for national awakening and all kinds of national prosperity, this conference requests all Congress members to make sincere efforts for enrolling a large number of women as members and workers in every District Congress Committee.

**19.**—"This conference requests the B. P. C. C. to amend its rules in such a way as will provide that the name of a member will be struck off the list of the members of the B. P. C. C., if he does not pay his subscription as such within 3 months from the date of such election.

**20.**—"With a view to launch a campaign of civil disobedience in Bengal, this conference requests the B. P. C. C. to hold an enquiry as to what districts are fit for it and if so, on what local grievances and also having selected the most suitable district for that to begin such comprehensive work there as will make it fit for civil disobedience in all respects at an early date.

**21. "Untouchability.** Whereas the formation of a solid Indian nation is an impossibility without removing untouchability root and branch and whereas the manifold divisions and distinctions in the Hindu society have made this untouchability very glaring and baneful, this conference is of opinion that every Hindu should try to remove at an early date caste distinctions in Hindu society—which are an obstacle in the formation of a nationality."

## The U. P. Provincial Conference

The U. P. Provincial Political Conference opened its sessions at Farrukhabad on the 30TH MARCH 1929 in the afternoon in a specially constructed pandal crowded with delegates and visitors who were all clad in Khadi. After national songs Pandit Mulchand Dube, Chairman of the Reception Committee, welcomed the delegates.

### Presidential Address.

Babu Ganesh Shankar VIDYARTHI then delivered his presidential address in chaste and elegant Hindustani. In course of his speech, he referred to the position created by the resolutions of the Calcutta Congress which has laid down that if Dominion Status was not granted by the end of this year, they would stand for independence and would revive the programme of non-co-operation, if necessary, to enforce their demand. So far as he was concerned, he could not conceive how the British Government could never agree to full Dominion Status for India. But in any case, the question would be an academic one, for soon by the virtue of the Calcutta decision shall all stand for independence.

He then referred to the constructive programme of the Congress which was meant to make preparations for the great struggle which was coming.

So far as the Simon Commission was concerned, the Congress had known it for its true worth since its inception and had boycotted it. Many other organisations had done likewise. But some people in the country, for reasons best known to themselves, had thought it fit to defy the national will and had co-operated with the Simon party. Even these persons were however finding out the true character of the Commission. A prominent member of one of the Provincial Co-operating Committees told him a few days ago that the Commission and all its works were a damned farce.

The President's reference to the assault on Lala Lajpat Rai and the police attacks in Lucknow on the occasion of the arrival of the Simon Commission were greeted with loud cries of "shame". Referring to the All-Parties' Constitution he welcomed it as a product of ability and labour. It was obvious however that making of constitutions did not bring freedom much nearer. Whilst appreciating the All-Parties' Constitution he advised them to remember that the real problem for them was the problem of gaining power. In the past other countries similarly placed in this problem have been faced with sword. But they have adopted for a variety of reasons a different path and a peaceful method. He had no doubt that success could be achieved by this method.

The speaker then discussed the constructive programme and specially the boycott of foreign cloth. He stated that in Cawnpore the usual spring order for foreign cloth amounted to 25000 bales, but this spring owing to the force of boycott only 1000 bales had been ordered. The two parts of the programme to which he attached the greatest importance were permission to act in the manner of Bardoli wherever this was possible, and call to organise labour. All over the country, all over the province labour and peasantry were suffering great hardships. They were waiting to be organised. Competent workers were wanted for this. Some Congress men were afraid of working with and organising labour and peasantry, lest they might offend the richer classes, capitalists and landlords. But it was like sitting on the fence. They had to make a choice and this choice could only be in favour of 90 percent or more of our people.

Concluding he said: "If a handful of rich men are offended we cannot help it. We must stand whole-heartedly with labour, for labour is the most exploited class. Firing takes place on them frequently and assaults and legal processes. In Cawnpore whenever there is the slightest argument between labour and mill-owners a telephone message brings the police and sometimes the military on the scene in aid of the millowners. Government always sides with the employers. When

the hunger-stricken peasantry and the workers of the mills want to meet together and tell each other their woes it is difficult at times for them to find a piece of land to meet. They are driven from place to place and their principal workers are arrested and proceeded against under Section 107."

Referring to the recent arrests of labour leaders, he said that it was obvious that these were meant to crush the growing labour movement. Every kind of steps was being taken to combat the solidarity of labour. The Public Safety Bill and the Trades Disputes Bill were obvious attacks. Attempts were being made to produce a communal feeling in the trade unions and among the workers to divert attention from the economic issue. He hoped that the province would accept this challenge and help the labour and peasant organisations in every way.

He then referred to the international situation and its reactions in India. The internal struggle in Afghanistan might at any moment develop into a vaster struggle in which great powers would come into conflict. He believed that India would be free soon and become a great nation amongst the great nations of the world.

### Resolutions

The President's speech which lasted less than an hour was a sustained and impassioned appeal which was greatly appreciated by the audience. After the address was over the Conference proceeded with the considerations of resolutions of which the following were passed on this day after which it adjourned. The first expressed condolences with Lalaji's death, the second welcomed Mahatma Gandhi's forthcoming tour in the province, and the third condemned Government's policy of proscribing books, specially Sundarlal's "Bharat men Angreji Rajya". The fourth resolution was.—

"This Conference considers the recent widespread and indiscriminate arrests and house-searches as an attack on a nationalist movement as well as on labour and peasant organisations and on the youth movement.

"The Conference condemns the arrests and further condemns the treatment accorded to the under-trial prisoners.

"The Conference congratulates those national workers who have been arrested.

"In the opinion of the Conference the Public Safety Bill and the Trades Disputes Bill have been brought forward by the Government to perpetuate an aggressive policy against labour.

"The Conference considers that the only proper answer to this repressive policy of the Government can be the organisation of peasants and workers and Youth Leagues and in order that this may be done as speedily as possible requests the Provincial Congress Committee to appoint one or more sub-Committee for the purpose."

The Conference reassembled on the 31st MARCH and passed the following resolutions. The fifth resolution ran thus.—"In the opinion of this conference the arrest and conviction of Mahatma Gandhi clearly demonstrated that the Govt views with great apprehension the movement of boycott of foreign cloth and wishes to crush it. The conference requests the cloth importers and dealers of the province specially in Cawnpore, Farrukhabad, and Hathras and other mandies not to deal in foreign cloth and requests the people of the province to boycott foreign cloth completely and specially to use khaddar."

The sixth resolution proposed by Mr. Har Govind Panth condemned the treatment of the Kakori prisoners as habitual offenders and "badmashes."

The seventh resolution dealt with the Congress organisation and ran thus: "In view of the fact that the Calcutta Congress has determined that if the British Govt. do not accept in their entirety the constitution of the All-Parties Conference by the end of this year, non-co-operation including non-payment of taxes will be resorted to achieve independence, this conference is of opinion that preparation should be made for this coming struggle from now and for this purpose congress organisations must be strengthened. The conference therefore determines that at least 100,000 congress members and 10,000 volunteers should be enrolled this year in the province. Further that each district should enrol before 30th June, 1929, members and volunteers allotted to it." This resolution contained a list of disputes with their quotas of members and volunteers. The Conference then adjourned.



On the 1st. APRIL the eighth resolution dealt with formation of national service in the province, the Provincial Congress Committee being asked to take steps in this behalf. The ninth resolution expressed pleasure at the success of Amn Amanullah and the progressive elements in Afghanistan and hoped that they would soon win through. The tenth resolution drew the attention of the people to the war danger resolutions of the Madras and Calcutta Congresses and declared that India would not help British imperialism with men or money or in any other way. The eleventh resolution called upon all city and tahsil Congress committees to push production and sale of Khaddar. The twelfth resolution dealt with social evils, specially untouchability and drink and drugs. The thirteenth resolution dealt with socialist reform of society. The resolution ran thus: "The following recommendations be made to the A I C C that in the opinion of the Conference the great poverty and misery of Indian people are due, not only to the foreign exploitation of India, but also to the economic structure of society which alien rules support, so that their exploitations may continue. In order, therefore, to remove this poverty and misery and to ameliorate the condition of Indian masses it is essential to make revolutionary changes in the present economic and social structure of society and to remove the gross inequities that subsist under it. As a first step to this end, it is essential that provision be made for the living wage for every worker and to tax heavily all unearned incomes, and peasants to have adequate land and be protected from interference of all middlemen."

After the passing of a few more resolutions the President closed the proceedings with a brief and eloquent speech

## The Punjab Provincial Conference

Doctor Satyapal, President-elect, Punjab Provincial Political Conference, accompanied by Mr. Abdul Qadir, Sarfaraz Sardul Singh, Dr. Mahomed Alam and Mr. Bodhray, members of the Punjab Legislative Council, and Mr. Kidarnath Saigal, Lala Dunichand, Dr. Khanchand and other Punjab leaders, arrived at Rohtak on the 5th MARCH in the morning and was accorded a hearty reception at the Railway station. The leaders were taken in procession through the city amid decorated streets.

### Hoisting Of The Flag

"The Flag is symbol of unity and independence" said Pandit Jawaharlal Nehru, while performing the hoisting ceremony of the National Flag at the Punjab Political Conference in the presence of a large gathering in the afternoon. He said that when the national flag waved in one's own country, it was a mark of honour; but when it waved over other countries, it became the symbol of oppression and tyranny. People in other countries had sacrificed their lives for upholding their flag. He hoped that Indians also would keep the flag on high and attain full freedom. (Cheers) By freedom, he meant the rule of the masses where the masses got sufficient food and clothing.

Amid the playing of the national band and loud cheers, Pandit Jawaharlal Nehru hoisted the flag.

### Reception Committee Chairman's Address

The Conference opened at 2-25 p. m. with the singing of the "Bandemataram" song. Pandit Shriram, Chairman of the Reception Committee, welcoming the delegates, made a lengthy speech on the present political situation, and severely criticised the various departments of Government. Swaraj alone was the remedy to put an end to all the ills India was suffering from. He expressed his firm faith in Satyagraha as the best weapon to put an end to all tyranny and oppression. He appealed to the Punjabis to make the coming Congress

a great success. He criticised the financial waste of the Calcutta Congress and said that a country whose leader Mahatma Gandhi lived on Rs. 12 a month could not afford luxury. He presented a constructive programme for village organisation and appealed for support.

Dr. Satyapal was next formally proposed as President by Mr. Shamlal, an Advocate, who paid a tribute to the doctor's life of long service and sacrifice especially in the martial law days when he was sentenced to transportation for life.

#### The Presidential Address

Dr. Satyapal then formally took the chair amidst loud shouts. The motto "Socialism is emancipation" was hung over the President's seat. He was profusely garlanded. The Doctor spoke for about two hours amid occasional shouts of Bandemataram. His reference to the next war and the declaration about India's refusal to take any part therein, was welcomed by loud shouts of "hear, hear and yes" by the Jats who constitute a majority of the population of this area. Loud cries of "shame" were raised when he referred to the assault on Lala Lajpat Rai.

Dr. Satyapal appealed to every man and woman in the Punjab to take a vow now not to rest till the bonds of slavery were smashed asunder. As an eye-witness he recalled the incidents of the 30th of October last, and said that he shielded Lala Lajpat Rai with his arms, receiving blows while doing so. He was proud also that in spite of grave provocation the people displayed complete control of temper. Dr. Satyapal deplored that in spite of the statements by responsible medical experts, every official from the Secretary of State down to the Punjab Government, had shown complete indifference to public opinion. He was pessimistic regarding anything coming out of the Assembly resolution on the subject. He added that they should give up their slave mentality and cease demanding such inquiries or participate in them and should treat such attacks and assaults as necessary concomitants of the campaign. He deplored the murders of the Police Officers Mr. Saunders and Channan Singh as contrary to the creed of non-violence of the Congress, and declared that Lala Lajpat Rai's death could not be avenged by killing any official, but only by ending the system which encouraged such assaults.

The President appealed for the acceptance of the Nehru Report as the question of adjustment was one which could be satisfactorily arranged, once foreign domination was at an end. Dominion Status was acceptable as it involved no bitterness or bloodshed.

Referring to the Public Safety Bill, Dr. Satyapal observed that it was intended to have the same effect as the Rowlatt Act. The President appealed to the Sikhs to support the Congress even when they differed from the Congress. The people should faithfully carry out the resolution of the Calcutta Congress and the national programme outlined therein. He urged the province to make the Lahore Congress a success.

Dr. Satyapal eulogised the patriotism of the young men of the Punjab as was evidenced by the work of the Navjawan Bharat Sabha. Referring to the organisation of peasants and workers, he said that it ought to be the paramount duty of the Congress to help this movement.

The President appealed for promotion of Swadeshi and Khaddar and paid a tribute to the political martyrs. He opposed extension of the life of the Punjab Legislative Council.

Dr. Satyapal referred to the Afghan situation and expressed sympathy with Amanullah. He protested against the externment of Maulana Zafar Ali Khan from the Frontier and made a fervent appeal to the people of the Punjab to rally round the Congress and not rest till Swaraj was attained. The President resumed his seat amidst loud cheers and applause after which the conference adjourned.

#### Resolutions

Pandit Motilal Nehru was accorded a warm reception, when the Conference held its second sitting on the next day, the 9th. MARCH in the afternoon

At the outset the President paid a touching tribute to Lala Lajpat Rai in moving a resolution of condolence on his sad death.

Lala Bodhraj, member of the Legislative Council, Doctor Khanchand and Mian Serajuddin made strong speeches condemning the Police assault on Lalaji and the Police prosecution of young men for their supposed hand in the Saunders murder. He said that the miserable failure of the Police was the best proof of the young men's innocence and the Police highhandedness. No amount of repression could kill the spirit of freedom.

#### PANDIT MOTILAL'S SPEECH.

"Freedom or death should be the motto of every Indian at the present juncture," declared Pandit Motilal Nehru, addressing the conference amidst loud cheers. He said that freedom and death were inter-dependent. There could be no freedom without readiness to face death (Cheers). Real death lay in dying for Swaraj. Death other than that was a death of shame and dishonour, while those who died for Swaraj, would die glorious deaths and leave their names like shining stars. He said that it was disgraceful that a handful of foreigners should govern a crore of souls. "Our rulers are determined to show us that the honour of our greatest men is not safe in their hands. The brutal assault on Lala Lajpat Rai, and the arrest of Gandhiji were the two latest proofs of the Government's mentality. Swaraj alone was the remedy to put an end to all the miseries." He appealed to the audience to carry out the Congress programme.

#### NEHRU REPORT APPROVED

Doctor Alam, Leader of the Nationalist Party in the Punjab Council, then made a vigorous speech moving the resolution relating to Nehru Report and the Punjab's readiness to launch a civil disobedience campaign, if Parliament failed to accept the Congress demand. He said that the resolution was the last challenge to the British Government and the Congress leaders alike.

Pandit Jawaharlal Nehru, speaking on the resolution, said that Swaraj could not be achieved by leaders alone, however great their sacrifices might be. If their sacrifices alone could bring freedom, then the sacrifices of Gandhiji and others were sufficient "You would be deceiving yourself if you think Swaraj would be got by the 31st December without your strenuous efforts in carrying out the Congress programme successfully," said the Pandit. He added that Swaraj was needed for the starving millions, whose engine of hunger was more powerful than the machine guns.

Referring to the Public Safety and the Trades Disputes Bills and the arrest of Gandhiji, he said that history was repeating itself after ten years and the time was coming when the Government would have to face a similar crisis as in 1919.

The audience expressed readiness to offer all sacrifices. The resolution, was carried unanimously.

The Conference concluded its session in the night after adopting twenty resolutions. It resolved to enlist 50,000 Congress members and 2,000 volunteers in the Punjab, and advised the Congress members to give to the Congress two-hundredths of their income, condemned alleged police highhandedness at the Kurukshetra Eclipse Fair, and expressed sympathy with the peasants' movement in the Skinner's estate in the Hissar Dt. where a "no-tax" campaign was being organised by Pt. Nekiram.

Another resolution welcomed the arrest of Mahatma Gandhi, and urged the people to boycott British goods and foreign cloth and hold bonfires.

A resolution for the extension of the Delhi Province by the addition of the Ambala division to Delhi was referred to the Provincial Congress Committee, which was asked to appoint a sub-committee to enquire and report on the matter.

It was resolved to hold the next conference at Multan in October at the invitation of Lala Bodhraj, member of the Legislative Council. A resolution which urged a single-colour national flag was not considered.

Another important resolution assuring the All-India Congress Committee of Punjab's readiness to launch a "no-tax" campaign if Parliament did not agree to the national demands."

Dr. Satyapal, in bringing the Conference to a close, thanked the Reception Committee and the volunteers for their services, and exhorted the people to march ahead and prepare for sacrifices in the coming battle for freedom.

# The Maharashtra Provincial Conference

The seventh session of the Maharashtra Provincial Conference was held at **Bandra** on Saturday the 4th *May* 1929 —

## MR. MEHTA'S WELCOME ADDRESS

Mr. J. K. Mehta, Chairman of the Reception Committee, in welcoming the delegates said :—

The Nehru Report was a magnificent effort on the part of our leaders, to set forth the hopes and ambitions of the Indian people and was a valuable contribution to the constitutional fight that has been identified with the Congress since the last four decades. It was especially unfortunate that the Congress should have been stampeded into the adoption of this ideal of independence and the ultimatum before the Nehru Report could have even got reasonable and rational chances for consideration by the powers-that-be, for whom it was evidently intended. The value and utility of the Report lay in its acceptance by all the leading political opinions in the country, and there was a time when it appeared as if all the parties had agreed to accept it as the lowest common denominator of their demands. Unfortunately, it was punctured or attempted to be punctured from three directions. (1) the Independence Leaguers, (2) the Mahomedans, and (3) the Hindu Mahasabha. We cannot expect this valuable document to be taken seriously as the considered and genuine expression of the demands of the Indian people when some of the leading lights in the political horizon continue to say either that only independence can satisfy the Indian people or that the Dominion Status is but a half-way house to complete independence. It is no use disguising from ourselves the fact that a large section of Mahomedans have rejected the Nehru Report and also the fact that the Hindu Mahasabha at its recent session at Surat has also rejected the same. The remedy once suggested by Mahatmaji of placing some Hindu and Mahomedan leaders in a room and locking them up till they have settled their differences might have appeared to some to be an extreme one, but looking to the exigencies of the situation the Congress should adopt, and that too at an early date, some measures to bring about a rapprochement between the two communities and to remove the opposition of our Mahomedan countrymen, for I am sure that the opposition of the Hindu Mahasabha will be removed as soon as the Mahomedans have come to some sort of a compromise or understanding. Looking to all these factors one's faith in the Nehru Report does not weaken but gets rather strengthened as the more one closely examines the situation the more he feels convinced that this is the only document on which a general unity is possible between the political parties and the different communities. The Nehru Report is not, as Mr. Jinnah well said, like the laws of Medes and Persians. It is a human document and as such can be changed in consonance with the needs of the times. If you scrap the report wholly, it will mean not only the waste of precious efforts but it will mean the removal of a welcome bond of peace and amity. Keep it however, use it as the foundation for our political structure and you will find that there are many good substantial points in it though there may be a few angularities here and there, which a master-mason will take care to remove.

Under the circumstances which I have tried to set forth the ultimatum is at the best premature and may well be postponed upto the end of 1931 as was originally the intention of Mahatmaji himself. By that date we shall have known fully the action, if any Government take or propose taking on the Nehru Report and the Congress will have a full opportunity of considering if such an action is in accord with the demands of the Indian people.

The Congress cannot and should not be made either a capitalistic or a labour organisation, but it must stand for safeguarding the rights and interests of both. Instead of taking up sides in the struggle of employees vs. employers, it can fulfil

the difficult and delicate mission of building a bridge between the two, and checking the tendencies towards exploitation of one and towards revolt of the other. Unfortunately the Congress has apparently departed from this position and begun more or less to identify itself with the extreme left. This issue will have to be decided sooner or later by the Congress and the sooner it is done the better it is in the interests of the country. The urgency of the problem is manifested by the epidemic of strikes all over the country and specially in Bombay, leading to the ruin of industries which Indian intellect, work and money have built up.

I am a believer in the economic and political significance of Khaddar which is the second great message of Mahatmaji. Its opponents declare that the return from hand-spinning which is at the most two annas per day is so insignificant that it is a sin to preach this to the poverty-ridden and suffering humanity. What I say is that it is just because our brothers and sisters are poverty-ridden and suffering that the message of khaddar comes as a healing balm to them. It is essentially a poor man's panacea and has the following distinct benefits and advantages: (a) it solves the labour problem and cuts at the root of warfare between employers and employees; (b) it is a social solvent and introduces automatically feeling of equality, fraternity and fellow-feeling between different classes and creeds (c) it brings the educated and urban classes into communion with the agricultural classes and removes the grinding poverty of the masses, (d) it is a living protest against the foreign rule, which more in the economic sphere than anything else, has sapped the vitality of the people.

Believing though I thus do in khaddar, I still believe that the ban on the recognition of Indian made mill cloth must be removed. I do not want khaddar to be injured and yet if the boycott of foreign cloth is to be made effective, we cannot but recognise the importance of mill-cloth. For the last ten years we were busy propagating the value and importance of khaddar and were content to let the Indian mill cloth shift for itself. The intense khaddar movement went a long way towards intensifying the Swadeshi movement. We have now however, the programme of boycott of foreign cloth to carry out and this cannot be done without a joint and vigorous combination of the forces of khaddar and mill-cloth. How this can be done, I leave it to you gentlemen, to think out, but I am sure that you will have no objections to making suitable recommendations if you feel that they are vitally necessary not merely for strengthening congress organisations but for effectively carrying out the boycott of foreign cloth.

I have not up to now made any reference to the present policy or to the present executive actions of Government. The programme we have laid down for ourselves contemplates a reliance on ourselves and implicit faith in our destiny and determination to see that we come by our own. Government is there of course—an indubitable and indubitable fact the existence of which with all its implications we cannot ignore. We have however our sturdy representatives in the legislatures, both Imperial and Provincial, to deal with the legislative and executive actions of Government. Those who are outside the legislature have to devote themselves to the work of preparing sanctions for them. We have to recognise that Government have got a certain settled policy of their own from which there will be no deflection unless there is a genuine strong public opinion and a strength of the people themselves. With a united and vigorous people nothing is impossible to achieve.

Wherever you turn, the ever looming and overpowering shadow of Government is to be found, crippling national energies and not allowing them, as is the case in self-governing countries, full scope and freedom for creating a new Heaven and Earth for our brothers and sisters. Unless the whole system of Government is changed and Indians get their right to manage their affairs in their own way, there is and can be, no hope that all such piecemeal work in different spheres of our national life will be beneficial to any appreciable extent. The energies of the people, therefore, are to be bent and directed at present towards the solution of the principal problem, viz., the problem of Swaraj.

The conference is fortunate enough to secure Sardar Vallabhbhai as President to guide its deliberations. He has illustrated during the last decade how all the lessons and precepts of his Guru, Mahatma Gandhi, have gone home to him and like a true

disciple, he has not only imbibed these lessons but also sometimes even improved upon them. The Sardar however has proved himself to be a politician and a statesman who can give lessons in politics and statesmanship to most of us. We cannot have a better pilot than him to guide our ship at its present juncture.

#### The Presidential Address

Sardar Vallabhbhai J. Patel, in the course of his presidential address said :—

You will not misunderstand me if I say that we in Gujarat do not believe in District and Provincial Conferences unless there is anything new and urgent to decide upon. The real Provincial Conference in which I remember having taken part was the Gujarat Provincial Conference that was held in Ahmedabad in the year 1929. Non-co-operation was then on the tapis and it was the duty of every province to give expression to its views so as to help the session of the Congress to arrive at a proper decision. We have since no doubt held one or two Provincial Conferences, but I do not think any one was as momentous or as necessary as the one held in that memorable year. The programme for this year, and even for the next, in case we successfully fulfil this year's programme, was decided by the Calcutta Congress in December 1928, and all organisations in the country have to strain every nerve to carry out that programme so as to enable the Congress to reach its decision when the year is out. Unless therefore you disbelieve in that programme, and propose to strike out a different path, all that this Conference has to do is to reiterate the Congress programme, to call upon every man and woman in the province to fulfil every item of that programme, to call upon every District Congress Committee to submit an account of what it has done in the course of the last four months, and to enlist volunteers to carry the message of the Congress to the remotest villages and to work towards its fulfilment with all possible haste and without rest.

Nothing has happened since the last Congress to make us reconsider our resolutions. Indeed everything that has happened points to the necessity of stiffening our resolve to get ready for the final battle in 1930. Coming events are said to cast their shadows before, and there is something ominous in the events that reached their climax in the Viceregal pronouncement promulgating the Ordinance embodying the Public Safety Bill. We have reached a moment in our history, for the critical nature of which I can recall no parallel except in the events that led up to the passing into law of the Rowlatt Bills. Indeed the action of the Viceroy to-day is a greater and much more calculated affront than that of the Viceroy in those pre-Reform days. 'Paramourity'—a word with which the Butler Committee's report has just now familiarised us—seems to be the bureaucrats' creed, Reforms or no Reforms, and whether you have a puppet President or a powerful President, the Viceroy is confident that he has power enough to do what he likes. The votary of treason, argument and persuasion, promulgates the Ordinance in the same breath as he promulgates that doctrine, and doubts the sincerity of the national leaders who disapprove of acts of violence and also disapprove of acts of Government that derive men to mad deeds of despair. His Excellency drew pointed attention to the naked conflict between two philosophies, but he seemed really to refer to a naked conflict between the terrorism of the bomb-thrower and the superior terrorism of the Government. Let us make no mistake about the fact that the terrorism on both sides is equally senseless and futile and the only cure for both is what was inaugurated at a supreme moment in Indian History—Non-violent Non-cooperation or Civil Disobedience, both forms of Satyagraha.

The policy of repression which found expression in that pronouncement of His Excellency the Viceroy seems to have been unblushingly followed in the Meerut arrests, and in the prosecution and conviction of men like Messrs. Sambamurti and Khadilkar, both of whom exercised considerable influence for sobriety and non-violence. How dangerous it is to arm the executive with further powers and how easily they can manufacture pretexts to draw any and everyone into their wide net was evidenced during the Satyagraha campaign in Bardoli, when the bogey of Bolshevism was raised and I was magnified into an Indian Lenin. All my knowledge of Lenin is derived from that little book on Soviet Russia by Pandit Jawaharlal, and I confess I am entirely ignorant of the Soviet organisation and

Soviet methods. But any healthy movement or agitation in these days which brings the educated classes in touch with the agricultural and the working classes is easily turned into a signal for alarm and the most handy epithets to condemn such movements are Bolshevism and Communism.

The situation is as desperate as it was in 1919, perhaps more so. So far as the atmosphere is concerned, it is certainly favourable. In spite of spasmodic outbursts of violence here and there, I have no doubt that the message of non-violence is permeating the masses. Their faith was put to a severe test on the occasion of the brutal attack on the late revered Lala Lajpat Rai and Pandit Jawaharlal Nehru, and the most unwarranted and provocative arrest of Mahatma Gandhi. On all these occasions the masses showed exemplary restraint. Let us set store by this growing atmosphere of non-violence and bend our energies to prepare ourselves for the battle by the date that we have deliberately chosen. With as much deliberation and seriousness as we fixed the date, we also determined upon a clear-cut programme.

#### WORK BEFORE US

The main items in that programme are :

1 Boycott of foreign cloth. 2 Production and use of handspun and handwoven cloth to take the place of the discarded foreign cloth. 3 Removal by all Hindus of untouchability and throwing open to all members of the suppressed classes of all schools, wells, temples and other public places or institutions. 4 Communal Unity. 5 Active propaganda for the total prohibition of every drink and drug. 6 Appealing to every one who has faith in the Congress and an income to call his own to part with a percentage of it for the national cause.

Before I proceed to offer a few observations on this well-worn programme which does not really call for any observations from me, I shall make myself clear as regards one thing that you might want to discuss at this conference. 'We agree,' you will say, 'that there is no new programme to be considered, but what about the ensuing Council Elections?'

You know my views on Council Entry. I am still the same incoercible no-changer that I was in the year 1922. And whilst I share the nation's pride over the brilliant manner in which its chosen President acquitted himself of his task in the Legislative Assembly, I cannot help observing that the President's ruling and its sequel are one more and the surest proof of the proposition that the legislatures are a delusion and a snare. I am sure that they would not be any the less so, even if every Council had a President like our Speaker. They would be the more so for that very reason. There is yet another consideration that weighs with me most strongly. The conviction has been growing on me that so long as there is this Council programme before the country it is extremely difficult if not impossible to divert its attention on the constructive programme. The only soil most congenial for a proper prosecution of the constructive programme, as it has been devised by the Congress in an atmosphere of Non-co-operation. I may not disguise from you my feeling that nothing more unfortunate could have happened to us than this that in the year that has to be devoted wholly to a programme to prepare the country for Civil Disobedience the country should have to be thrown into the vortex of the Council Elections. If we were all fired with even a particle of that passion for freedom that makes Mahatma Gandhi forget his food and rest and sleep and even the domestic difficulties arising in his best creation at Sabarmati, if I say we had a particle of that passion, if we only remembered each day and each night, getting up and retiring to bed, how that spotless man amongst cowering mortals wears himself away in the pursuit of that programme, we would refuse to be drawn into that vortex and have nothing to do with Council Elections in this year of our trial and travail. Holding as I do these views most strongly, I must confess I am incompetent to offer any advice in the matter of the ensuing Council Elections.

#### THE NEHRU REPORT

But as any attempt to stem the prevailing current seems at the present moment at any rate something like an attempt to mop the tide, I venture to offer some suggestions of a general character which you may accept for what they are worth. The issues on which the elections should be fought, if they are to be fought at all, are

clear enough. They are the Nehru Report and the Congress Programme. A distinction seems to have been made between fighting the elections on the basis of the Nehru Report and fighting them on the basis of the Congress Resolutions. I am sorry I fail to see the distinction. The Nehru Report is part and parcel, I should say a vital part, of the Congress Resolutions and it is idle at this time of the day to raise the distinction that seems to have been raised in certain quarters. One of the most outstanding events of the past few months on which we can look back with some pride and satisfaction is the way in which the whole nation has boycotted that pinchbeck Commission, and to my mind the necessary corollary of that boycott is the adaption of the Nehru Report. I did not think any wars need be waged, as in the past, over the question of taking up of offices. The adoption of the Nehru Report remove that obstacle in the way of unity between the contending sections of Council-goers, and I have a faith and a hope that before the year is out either the few differences that still remain about the whole-hearted adoption of the Nehru Report will be obliterated or that some acceptable formula will be found out so as to effect a substantial agreement of all parties and all communities to the Nehru Report. Let therefore all the aspirants who would seek election in the Assembly and the Councils on behalf of the Congress, be required to pledge themselves to the Nehru Report and the Congress programme, constructive programme of course, but to whatever programme that may be adopted by the next Congress at the end of this year. Let us be clear and unequivocal on this point. Let every candidate understand that it will be his solemn duty to subscribe to and follow a programme of Civil Disobedience, should the Congress adopt that programme at Lahore. Let them be prepared to obey the Congress mandate should it deem proper to revive the old Non-Co-operation programme, including withdrawal from legislatures in a body. Above all, let the service of the nation be an article of faith with them. There have been in the past instances of breach of party discipline, utter disregard of the Congress Resolutions, and even succumbing to sordid temptation. The nation cannot put up a serious fight if its representatives are not pledged to carry out the mandate of the Congress Executive, and ready to obey the the country's call, at whatever personal inconvenience or sacrifice that is demanded of them. A nation at war cannot afford to have many political parties. And let a serious attempt be made for once to unite all parties in the pursuit of one paramount body, and ready to carry out its mandate at all costs.

#### THE NATIONAL PROGRAMME

I now come to the several items of the national programme—I mean the programme for people like me who prefer to work outside the legislatures, and their name is legion.

Is it necessary at this time of the day to dwell at length on the various items of the programme? Need Maharashtra which among all the provinces of India had the first privilege of receiving the Swarajya mantra be reminded of the vital necessity of fulfilling the boycott of foreign cloth? If I am not mistaken long before any other province received its first lessons in politics, Maharashtra learnt from Lokamanya that the nation could not come to its own without a boycott of foreign cloth. No doubt in those days the means of effecting the boycott was the encouragement and patronising of the indigenous mill industry, but it should be remembered that even in those days no one in Maharashtra talked of the boycott of British goods or of British cloth. The Swadeshi movement in Maharashtra has always meant boycott of foreign cloth through cloth produced in our country, whether in the mills or in the cottages. If those who advocate the boycott through mills remember the days of the Partition agitation, if they bear in mind the fact that it is physically and financially impossible for our mills to cope with the whole of our cloth demand, if they further remember that the mills cannot touch even a fringe of the millions and millions of the starving unemployed in India, they will cease to talk of boycott of foreign cloth through mill cloth. The mills need no advertisement nor any special patronage from us. They can advertise their wares better than any one of us can do, and they stand to gain by an insistence, even an exclusive insistence on the use of Khadi. If the mill-owners could be persuaded to regard the mill industry as a national trust, a co-operation with them for the suc-



cessful achievement of this grand national programme would be quite feasible. Mahatma Gandhi tried his best to bring about that co-operation last year. But possibly the time was not ripe. I hope the millowners will realise their mistake betimes, and make common cause with the national leaders, if only to save themselves from impending ruin. I am sure that if they could be thus persuaded, they will at one stroke serve themselves, serve the country, and put an end to industrial troubles, for even the labourers will realise that they are engaged in a sacred cause in which they must cooperate with their masters. Any number of Trade Disputes Bills will then be rendered nugatory and violent industrial catclysms will be a thing of the past, simply because the millowners' cooperation will necessarily mean their acceptance of the participation of national leaders in the regulation of production, fixing of the prices and determining the wages. But even if the millowners are slow in awakening to their duty in this respect, the nation's duty to produce and use Khadi remains. In fact the intransigence of the mill-owners must make it imperative on us to insist on the exclusive use of Khadi.

I do not think the puerile objections about the coarseness or dearth of Khadi ever weighed with Maharashtra which is known throughout the country for its simplicity and self-sacrifice. In Vinoba, Dante, Shankarrao Deva, Balubhai Mehta and Shanakar Rao Thakar Maharashtra has got a band of Khadi workers of whom any province would be proud. If only educated Maharashtrians make up their minds to avail themselves fully of the services of these selfless workers, Maharashtra would be easily first in the race for the boycott of foreign cloth.

In this connection I would like to draw your attention to the bulletins published by that wide awake Secretary of the Foreign Cloth Boycott Committee. I hope those of you who are connected with daily or weekly journals will give these extremely well informed leaflets the widest publicity and those connected with Local Boards and Municipalities will push forward the boycott programme by taking up in their respective organisations the proposals suggested by the Foreign Cloth Boycott Committee, viz., imposition of a prohibition act or duty on all foreign cloth imported within the local area, exemption of handspun and handwoven Khadi from all the local duties and making all their cloth purchases in handspun and handwoven Khadi.

About the larger communal problem I wish it was possible for me to speak with confidence. But with the recent communal riots and cold-blooded and brutal murders in some places, still fresh in our memory, I am afraid I cannot hope to infect you with my faith in Hindu-Muslim unity. The responsibility for the cult of bloodshed must be taken by those who having influence with the masses do not put a curb on their pen and tongue. There may be darker times in store for us, and a yet heavier toll may be taken, but I am sure that sooner or later the propagandists of revenge and retaliation will see the senselessness of their suicidal policy.

In the meanwhile, let the saner elements in both the communities realise that the communal squabbles have been made possible by our inactivity and apathy towards the Congress programme and the moment the country is instinct with a strong current of fresh and purifying energy in the shape of constructive work, much of the mischief will cease.

Indeed the various items of the constructive programme are interdependent and the complete achievement of one item cannot but react on the other items. I say this from my experience of my little work in Bardoli and the Raniparaj (Hill Tribe) villages of Bardoli and other talukas in the Baroda territory. It was the sure foundation of constructive work, on however small a scale, in Bardoli that the edifice of Satyagraha could be built, and in the Raniparaj villages abstinence from drink has followed as a matter of course in the wake of Khadi.

#### THE LAND REVENUE PROBLEM

Among your provincial problems there is one with which I am somewhat familiar and over which I should like to dwell for a moment. The peasantry in Maharashtra is seething with discontent over the settlement Reports of various talukas that there are being issued from time to time. They are not reports of Settlement Officers but of Enhancement Officers who seem to be under the impression that they would not be worth their salt unless they recommended the maximum enhancement. As early as 75 years ago it was recognised that the assessments were fixed without any

reference to the cultivator, who was told that if he did not choose to pay he might throw the land up and the same vicious disregard for what the cultivator has to say has continued all these years. I may not say anything about the revelations in Bardoli for the report of the Inquiry Officers is yet to be out. But it is an open secret that the reports of the Assistant Settlement Officer and the Settlement Commissioner revealed an utter absence of inquiry and there is no reason to doubt that what happened in Bardoli may have happened at other places.

Whatever the report of the Bardoli Inquiry Officers let the Bardoli Satyagraha be a constant reminder to the peasantry throughout our presidency of their indefeasible right to be heard before anything like a 'settlement' is imposed on them. But let them also learn the way of being effectively heard. The policy in Maharashtra seems to have been to advise the peasants to refuse to pay a rupee out of the whole revenue demand, or sometimes the amount of the enhancement. I appreciate at the back of this policy, a desire on the part of the leaders not to put the poor peasants to much loss and suffering that a no-tax programme necessarily entails. But the policy has its obvious disadvantage, namely that no one takes the agitation seriously and in the end it proves very much like a game of hide and seek. If a Settlement has no rational basis it is not the enhancement that is wrong but the whole revenue demand fixed according to that settlement that is wrong. The refusal to pay the whole demand is therefore the only true and logical as ultimately the most effective form of protest against an unjust settlement. I would humbly suggest that in agitations of this character you may not count the material cost and if our goal is to make men of our meek and servile peasantry we must accustom them to go through voluntary suffering and self-denial. You cannot do so without establishing a real, living contact with them and in that connection I may in all humility offer you the lesson and the example of Bardoli. One thing that contributed to the tenacity of the Bardoli peasants which made their Satyagraha irresistible was the large army of workers that we placed at the service of the peasants—workers ready to do the meanest of duties at all hours of the day and night and ready to go through any amount of suffering. Without the living bond of that organisation we should not have been able to keep the peasants together and to raise their capacity for suffering to the pitch that was the wonder and admiration of all. In this connection may I offer my hearty congratulations to those who ably organised the Satyagraha in Miraj and to the brave peasants who by their determination to suffer wrested justice from an unwilling State?

It is not my purpose there to go into the History of the revenue question, and to dilate on how the land revenue in all parts of our presidency presses heavily on the poor agriculturist who is getting more and more impoverished day by day. But one or two facts of the revenue policy in our presidency deserve to be mentioned as they affect Maharashtra in a particular manner. Two Maharashtra members in the local Legislative Council moved resolutions in 1924 and 1927 seeking to get the Government to carry out the recommendation of the Joint Parliamentary Committee to bring the process of the land revenue assessment under closer regulation. Both resolutions were passed by large majority, but revision settlements have been introduced and enhanced assessment collected in several talukas in the teeth of those resolutions. A Land Revenue Assessment Committee was appointed but the recommendations of the majority of them were turned down, and those of a narrow clique of officials in the revenue Department adopted in the Government resolution and a legislation was suggested which was calculated to defeat the very objects of the recommendations of the Joint Parliamentary Committee. That clique of officials seems to resent the very suggestion of the raiyats claiming a voice in revenue matter, and seems to be wedded to a conspiracy to prevent any attempt to dislodge them from their entrenchments. That conspiracy has to be fought tooth and nail and I want you to give that matter your earnest attention.

### Resolutions

The Maharashtra Provincial Conference adopted resolutions expressing profound sorrow at the death of Lala Lajpat Rai, congratulating President Patel

on his bold and courageous stand in ruling out the Public Safety Bill in the last session of the Assembly, expressing resentment at the Public Safety Ordinance and calling on taluks and districts to organise the peasantry.

#### THE MEERUT PRISONERS

When the conference reassembled in the evening resolutions were unanimously passed condemning the treatment accorded to Meerut Conspiracy prisoners and appealing for contributions to the defence fund.

#### SUPPORT TO NEHRU REPORT

Another resolution whilst adhering to the Madras Congress Independence resolution accorded whole-hearted support to the amended Nehru Report and appealed to leaders to popularise the same and push forward the Congress Programme.

The Conference condemned fanatical murders as detrimental to national interests and supported boycott of foreign cloth.

Closing the proceedings, amidst cries of "Bandemataram", Mr. Patel exhorted Maharashtra to push forward the Congress constructive programme and prepare for the coming fight.

## The Berar Provincial Conference

The First Berar Provincial Conference opened at Yeotmal on the 30th March 1929 under the Presidentship of Mr. N. C. Kelkar. A large number of delegates from different parts attended.

Mr. M. S. ANEY, Chairman, Reception Committee, explained how owing to the disjunction of the C. P. Marathi Province to continue co-operation with Berar, this province was obliged to begin to hold its own conference of which the present was the first term of a series. Mr. Aney, however, refused to discuss the logical corollary of the formation of a new Berar Province for the present as premature.

After reading of messages, the formal proposal of the election of the president was carried by acclamation.

#### Presidential Address

Mr. KELKAR then delivered an extempore address in which he mainly discussed the various alternative methods of winning Swaraj. These were, he said, spiritual, metaphysical and material. Personally he was not an atheist but he appreciated the value of spiritual thinking. But no people could rest over their own oars throwing the entire responsibility upon the shoulders of the Almighty, either to turn up an *Avatar* for India or make a gift of self-Government to India out of the Land of Miracles. There was however such a thing as fatality even in the world's affairs and he for one believed that looking to the fact that India was out-distanced by England from generation in point of physical knowledge, material resources and modern warlike equipments, India might look forward to England sooner or later to get into her own complications arising out of her imperial greed. He cited the example of England itself when ultimately freed from Roman imperialism and declared that England's difficulty was India's opportunity. The people however must keep themselves prepared to take over Swaraj which may have to be yielded to them by England.

As for metaphysical Swaraj he appreciated the value of soul-force which was a great factor in national effort but Swaraj was a national and essentially a material problem to be solved by hard concrete effort. Swaraj also consisted in things to be enjoyed and exercised materially. He therefore laid great stress upon the objective method of activity and agitation and recommended the readiness of the nation to

accept a wide mental variety in human nature and deprecated the putting of single isolated ideas before the nation as the only exclusive means of working for and achieving Swaraj.

He then referred at some length to the present policy of repression undertaken by the Government and explained what Communism and Bolshevism were really and how far India's political agitation was really moved from communistic ideas. He claimed that the co-operative effort of the peasants and workers had not either in theory or practice overstepped the limits of legitimate bounds set up even by the present wide law in the Penal Code. He anticipated that the evidence in the present conspiracy case would disclose only popular curiosity to understand the new doctrines of economic and political character which were being brought to the notice of the world by Fabian and Socialist thinkers.

He predicted that repression like this would not end profitably for the Government but only act to the advantage of progressive political agitation. He referred in particular to the case of Mr. K. P. Khadilkar, Editor, "Navakal", once his colleague and co-worker, and cited the example of his son readily stepping into his father's place as an evidence that the young generation would not go down under the steam roller of repression but would keep the flag flying.

In conclusion, he gave support to the Nehru Report but could not but criticise the elusive method of interpretation put upon such serious things as national ultimatums as sanctions behind the national agitation as such interpretation left practically no substance.

### Resolutions

The Conference met again on the next day, the 31st March in the morning to discuss and express opinions on different subjects. The Conference unanimously passed a resolution accepting the Nehru Report and also a resolution protesting against and condemning the indiscriminate repression launched in the country. Resolutions were also passed demanding proportionate distribution of finance, if not proportionate to the revenue subscribed. Another resolution protesting against land revenue code policy of the C P Government was also carried unanimously. Resolutions advocating swadeshi, boycott, rifle club practice, town survey, national education etc., were passed unanimously.

The resolution regarding the *Nehru Report* ran as follows :—(a) "This Conference records its whole-hearted support to the constitution recommended by the Nehru Committee and ratified by the All-Parties Convention and earnestly appeals to that section of Muslim and Sikh communities which have expressed their disapproval on such ground as adequate justice has not been done to the interests of the country as a whole, this conference is clearly of opinion that the aforesaid objections are based more on sentiment than on substantial grounds.

(b) This Conference is further of opinion that the Report has received, notwithstanding opposition vociferously made by certain interested sections, a great amount of support in the country which justifies the claim that it is the unanimous demand of the Indian people.

(c) This Conference congratulates the Municipalities and local self-governing bodies such as District Councils and Local Boards in Berar on the patriotic stand taken by them in giving unqualified support to the Nehru Constitution by adopting resolutions at their special or general meetings.

(d) This Conference strongly repudiates the claims of certain deputations which appeared before the Simon Commission to speak in the name of non-Brahmins as well as the depressed classes in Berar who, the conference affirms, had given ample and unmistakable evidence of their readiness to stand by the Nehru demand at a large number of public meetings held throughout Berar under the auspices of the Berar All-Parties Conference held at Akola and other centres organised for carrying on propaganda in favour of the Nehru demand during the last three months of the year 1928.

(e) The Conference ventures to give a timely but friendly warning to the Government of India and the British Parliament that any delay on their part in making an honest and statesmanlike move in the direction of convening a Round

Table Conference to consider and meet the national demand will be fraught with serious and disastrous consequences to the State.

The *resolution* regarding *Repressive Policy* ran as follows :—

(a) This Conference being of firm opinion that communism is not likely to germinate in the soil of this country inasmuch as it is entirely alien and repulsive to the traditional and cultural policy of the Indian communities, strongly condemns the action of the Government in launching on an indiscriminate campaign of raids and arrests of a large number of persons connected with the movements of the workers' and peasants' unions and youth leagues as uncivilized.

(b) The Conference enters its emphatic protest against the arbitrary action of the Governor-General-in-Council in disallowing the adjournment motion of which notice was given by Pt. Motilal Nehru in the Legislative Assembly to discuss the situation created by the aforesaid arrests and searches after the Hon'ble President had ruled the same to be in order.

(c) The Conference also records its strong and indignant disapproval of the policy of the Government to the free and fearless expression of opinion on question of momentous importance to the country by starting a large number of prosecutions for offences of sedition against renowned journalists and publicmen in different provinces during the past few months.

(d) The Conference places on record its profound sense of appreciation of the services rendered to the country by Mr. Sambamurti and other public men either convicted or accused of offence of sedition during the present period of repression and congratulates them all on the spirit of heroism shown by them in facing prosecutions and consequent persecution. The Conference regards the prosecution under the Police Act against Mahatma Gandhi and his colleagues in Bengal as peevish and wholly disgraceful to the Government of Bengal and the Government of India.

## The C. P. Marathi Provincial Conference

Mr. K. F. Nariman, President-elect of the C. P. Marathi Provincial Political Conference arrived at Nagpur on the 9th MARCH 1929 and was given a hearty reception at the Ry. Station. Prior to the Conference he hoisted the National Flag which according to the speaker was the emblem of the peoples' determination to die if necessary for their national cause.

The Conference commenced at 9 A. M. with the "Bandemataram" song. Dr. Khar, Chairman, Reception Committee accorded a hearty welcome to the President-elect and the delegates and visitors. He expressed satisfaction that the boycott of the Simon Commission was a splendid success and asked the audience to make the boycott success at Nagpur when the Commission were due at Nagpur on March 14. After reviewing the political situation in the country he asked the audience to carry on an intense propaganda for the boycott of foreign cloth.

### Presidential Address

Mr. Nariman then delivered his presidential address in English. He assured the minorities that under Swaraj they would not suffer by virtue of their being minorities.

Referring to party politics in India Mr. Nariman said : "You cannot leave out of consideration the Moderates who believe that British rule is in the interest of the country, though the Britishers do wrong acts ; but happily that belief has received the last kick by the appointment of the Simon Commission, and they have now joined the Nationalist ranks for boycotting the Commission. The old British policy of self will stand as long as the British Raj is here. All talk about British justice, equality and no discrimination between the various races is humbug. He quoted Lord Lytton to substantiate his charge, that the British policy was one of prohibiting

Indians from acquiring their rights. Self-government to India was considered as a national calamity for England, as a revolution of a material and economic nature would have to be faced by her. Mr. Nariman quoted Dr. Rutherford who held that British administrators in India were definitely inferior to Indians, and were like babies by the side of Indian giants who were better statesmen with political vision.

Constitutional agitation had been tried, and found wanting. Bardoli, he said, stood as an instance of the success of a "no-tax" campaign, which alone could hasten the attainment of Swaraj. He added: "Unless you force the Government to give you what you want, you will get nothing." Concluding, he appealed to the citizens to boycott completely the Simon Commission, when it comes to Nagpur.

Mr. Nariman said that the fact of his selection for the presidency for this conference from a minor community, was a sure sign that in the Swaraj Government, the claims of the minor communities would not be overlooked. Continuing, he said, that, compared with the administration in other countries, the British administration in India was the darkest one in all respects. The British were extravagant when the country was starving under foreign domination. He said that he had better experience of constitutional agitation in the Legislative Council. The appointment of the Simon Commission was a "fraud." No Commission appointed by the British Government would give any rights.

### Resolutions

After the presidential address the conference adopted unanimously Mr. Abhayankar's resolution appealing for boycott of the Simon Commission.

Mr. Abhayankar said that Swaraj would never be given by free will. It had to be wrested from unwilling hands. He added that he would never allow the present rulers to leave this country, even if they intended to do so, until and unless India gained and gathered strength to drive them away and was able to maintain and save this country from another foreign invasion and domination.

Mr. Jammnalal Bajaj, seconding the resolution, exhorted the people to be strictly non-violent even under provocation.

The second resolution, advocating complete independence without interfering with the Calcutta Congress resolution about the time limit fixed by Mahatma Gandhi, was carried.

Resolutions were also passed condemning the Government's action in not supplying khadi to Mr. Awari, who was in the Nagpur Jail, urging removal of untouchability and congratulating Seth Jammnalal Bajaj on throwing open his temple for "untouchables."

The conference also resolved that every self-respecting person should oppose Ministership and no self-respecting person should accept office.

The Conference further adopted resolutions condemning and protesting against the Bengal Government's action in arresting and starting criminal proceedings against Mahatma Gandhi, congratulating Mr. Bulusu Sambamurthi on his sufferings and also Mr. Vallabhbhai Patel and the Gujarati students, and appealing to the people to support boycott of foreign cloth and push on Khadi propaganda.

## The Sind Provincial Conference

Dewan Chamanlal, President-elect of the Sind Provincial Conference, arrived at Karachi on the 18th MAY 1929 in the morning, and proceeded in procession through the city to the Khalikdina Hall where the Conference opened at four in the afternoon. At the outset he performed the ceremony of unfurling the national flag in the presence of a large crowd. In a short speech he pointed out the importance of the National Flag, emphasising that each one of the audience was a "gate-keeper of India" and impressed upon them the necessity of guarding their flag.

Dewan Chamanlal in his Presidential address referred at length to the poverty of the agriculturists and the inadequacy of the present measures aiming at amelioration of their lot. Referring to the Sukkur Barrage Scheme, he said :

"Most of us are indebted to my friends Mr. Jairamdas Daulatram and Mr. Govindanand for the keen insight with which they have brought the subject of the Sukkur Barrage prominently to the notice of the public. What is the position ? Out of a population of 3,500,000 in Sind, 2,800,000 or so live on agriculture. The cultivable land is about 6,500,000 acres owned by 200,000 landlords, 66 per cent of these own between 5 and 15 acres. As Mr. Mulrai says this is hardly enough to keep body and soul together. To put it in another way, a little over 2,000 of landholders hold nearly one-third of the total land, whereas two million agriculturists are helpless serfs, houseless, half-naked, ill-fed and illiterate.

"Now, three million acres of new land are going to be made available as a result of the construction of the Sukkur Barrage. Is this land to be handed over to landlords who already possess a surfeit of it ?

"Men in Sind have been known to own as much as hundred thousand acres of land. Why should not this land, which is the property of the nation, be kept by the nation for the benefit of the nation ? Are there not enough hungry people to feed in Sind, for whose benefit this land could be worked as nationalised property ? If the Bombay Government fight shy of keeping this land as a trust for the people, I make a suggestion to them. I am prepared to form a co-operative society of Sind agriculturists, and, under the aegis of this society keep the property in trust, for the nation, divide it into 25 acre plots for each family and pay for it out of the savings of individual members, spread over a number of years. This suggestion has already been made. If Sind is to save itself from increasing destitution this is the only way, namely, putting into actual practice the doctrine of Socialist Co-operation.

"I am mindful of the example from Canada in making this suggestion. In that great wheat-producing country, the majority of the wheat producers have formed co-operative selling and marketing organisations for their wheat, with the result that they have eliminated the middleman and ensured the fullest and best price for the producer. We want a wheat pool in India, and we might just as well make a beginning with a land pool in Sind. Your slogan should be "no more sales of land by auction. The land for the people." Meantime, let us form a co-operative land pool, and open immediate negotiations with the Government.

"It is from such a small beginning that we shall march to the achievement of the greater ideal. There is no short cut to that ideal. Progress is slow and difficult. Sudden victories that find us unprepared are worse than defeats. Therefore, my friends, I appeal to you to get for business, and do a little scientific thinking on Socialist lines, collect data, start discussion, carry on propaganda and educate our people to think socialistically, lest, when the day of Indian Swaraj dawns, it should find us unprepared to shoulder the responsibilities of achieving co-operatively for the people, prosperity and a free and civilised existence.

"Does it need my voice to assert that the present system is wrong and injurious ? It is only the short-sighted Britisher and the self-seeking Indian who think that bitterness has not been created between nation and nation. The threat of a great struggle, in case the Indian demand is not conceded within a given time, the great wave of an economic unrest sweeping over this continent, these things no man who has the interest of his people at heart or who has a temporary responsibility to share as ruler can contemplate with satisfaction.

"I feel convinced that the younger generation wants to settle down to business, the business of feeding, educating, cleaning and civilising this great land of ours. We want to do better than Canada in wheat, America in steel, China in cotton—and this on a national scale for the national benefit. We want to revive the artistic and literary glory of our country. We want to bring the world to the door of the peasant's hut. We want him to feel, to know, to realise that he is living in the 20th century, the century of great artists, poets, musicians, scientists, writers and thinkers. To-day what does civilisation mean to him ? It means, perhaps, a more scientific way of grinding him in the dust. As far as he is concerned, he is completely denied all the joy of modern existence, and all the benefits of scientific research and modern invention. None of us can contemplate this state of affairs with equanimity.

"Let me say to Great Britain. It is easy to govern for a time by arbitrary rule. It is easy to fill jails with your opponents. None of these things is desirable. The self-interest of India and the self-interest of Great Britain demand an immediate truce, and a lasting peace. A nationally powerful and an economically prosperous India will mean happiness not only for the millions of my countrymen, but happiness also for the millions of those who inhabit the British Empire outside India. That to my mind is a self-evident economic proposition. Instead of bitterness, let us have friendship. Instead of unrest, let us have peace. Instead of an India dangerous to the health and well-being of the world, let us have an India that will be the bulwark of modern civilisation. We are eager to get on with this work of reconstruction. What will the statesmen of Great Britain say? The India of to-day and of to-morrow will pause for a reply. Meanwhile, my friends, let us close our ranks. Let us place in the forefront our programme of economic emancipation. Let us marshal our forces against the three generals of Death—Poverty, Hunger and Disease; and when the day's work is done, may we, of the younger generation, have the consolation of feeling that our labours have not been in vain."

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## The Kathiawad Political Conference

The fifth session of the Kathiawad Political Conference began its sessions at Morvi on the 30th MARCH 1929 and continued on the next two days under the Presidentship of Sardar Vallabhbhai Patel. Among the distinguished visitors present were Mahatma Gandhi, H. H. the Maharaja Sahab of Morvi, Sir Prabhashanker Pattani, Mr. Darbar Kapaldas, Mr. Amritlal Thacker, the Imam of Bavazir and Sheth Haji Abdal Gani Beg Mahomed.

Mahatma Gandhi, in the course of his speech on the present situation, emphasised the need for co-operation between the Princes and the people and of constructive work in the States. He said that the self-imposed restriction laid down in the Porbandar session last year against criticism of individual States, was not an impediment in the way of their progress, but on the contrary gave the people enough opportunities for real work.

### The Presidential Address

After numerous messages had been read out, Sardar Vallabhbhai Patel read his address which dealt with the various political and economic problems of Kathiawad States. In the course of his speech the Sardar said :—

"The position of the Indian States to-day is not only awkward, but almost lamentable. Nowhere else in the world do such anachronistic institutions exist. In Kathiawad there are a number of States, big and small. Over them all has been kept a watch-sentinel by the Imperial Government, of what is known as the "paramount power." Nothing is beyond his knowledge. To depend to-day on treaties and treaty rights entered into by the East India Company with Indian States with a view to consolidate its power in this country, in accordance with requirements of the situation then prevailing, is just like a drowning man attempting to catch a straw. That they are required to brief counsels at the cost of millions of their subjects' hard-earned money to interpret these obsolete treaties in itself, indicates the lamentable plight of these States. Have we ever heard anything like friendship existing between a lion and a jackal? A host of your Princes go out on tours on the Continent every year, and yet have we ever heard any of them being given a grand ovation in any of these countries in Europe? What was the force behind the royal receptions and magnanimous ovations staged in honour of His Majesty the Amir Amanullah Khan of Afghanistan when he paid last year a visit to some of these countries in Europe? The reason is not far to seek.

"Even in this intricate situation our Princes can do a lot if they have the will to do.



By making administration responsible to the people, they can transform the weaker States into strong ones. There is greater safety in the Princes securing the goodwill of the people than in seeking the illusory protection of the Imperial power. 'The days of unbridled autocracy are gone' India is a nation as such, and it is impracticable to divide her into two parts—Indian India and British India—and to have administrative machineries of a different nature for both. The customs and social structure of the people of the country are one. The governance of the country is bound to be uniform; and it cannot afford to be uneven. The British Indian subjects have grown impatient for Swaraj and independence, and no power can retard the progress of a people who are determined to acquire their freedom. Whatever be the differences of opinion as to the nature of this independence or Swaraj, it is but certain that momentous changes in the present administrative system of British India are bound to take place presently. These changes are bound, indirectly or directly to tell upon the conditions in Indian States. In an Empire, which is based on the principle of limited monarchy, it is no loyalty to hope to enjoy an unrestrained autocracy. Real loyalty lies in an imitation of the Emperor. Those States who have tried to read the signs of the time and introduce popular institutions within their territories, have lost nothing. The States have no reason to distrust their subjects. The Indian people by nature and inherent instinct are trustful and liberal minded. The Thakor Sahib of Rajkot has just commenced a little constitutional advance and we hastened to vote him an address of our appreciation of his move from this very platform at Bhavanagar. Distrust begets fear; whereas confidence in the people ensures safety of the States. 'It must always be remembered that the State is for the people and not the people for the State.'

"The agriculturist in British India has been impoverished under the cruel land-revenue system of the Government. And in imitating the British Indian system Indian States have made it all the more aggressive; and consequently, the agriculturist of Kathiawar is in a sorry plight to-day. Besides, there is not one fixed policy. Thousands of agriculturists are being reduced into mere labourers and many are migrating from Kathiawar in search of sufficient labour elsewhere. The agriculturist who once upon a time used to feed himself sufficiently with plenty of milk, butter etc., to-day does not get two square meals. He does not live but merely exists. The State that allows such a peasantry to die, knowingly or unknowingly, digs its own grave. The land revenue must be assessed only in consonance with their capacity to pay, and that too must be spent for their welfare. It is a matter of regret that both these essential points are overlooked to-day in most of the States.

"The greatest sin of the British rule in India is the deliberate destruction of India's only cottage industry. Our country before the advent of British rule not only produced sufficient clothing for her sons and daughters but used to export several lakhs worth of cotton products to other countries. There was not one mill in the country in those days and all the cloth manufactured was hand-spun and hand-woven. India's destitute millions used to earn their living without any investment. All these millions have lost their means of living and there is no other industry that would employ them. If the Indian States had so desired, they could have saved their subjects from this calamity. Kathiawar is a splendid field for Khaddar production. It has plenty of cotton. At the end of the agricultural season, thousands have to leave Kathiawar in search of labour outside. Thus you have all the required facilities; you can save lakhs of rupees by shutting your doors against foreign cloth. Khaddar must therefore find a place in the palaces and in the Government institutions even in the very interests of the State itself. There is no other royal road to the economic amelioration of our people.

"The religions of both the great communities populating this sacred land, the Hindus and Muslims, preach Prohibition. It is a great sin to imitate the excise policy of a foreign Government in trading in liquor and promulgating the drink evil, simply with a view to augment the revenue resources of the State. It in no way lends prestige to our States. I know certain States in Kathiawar have set a noble example by the introduction of Prohibition Rules in their territories; and it is up to us now to see that this contagious "epidemic" of drink is driven out from our limits altogether at an early date.

"The plight of the "untouchables" is more pitiable in Kathiawar than in other

parts of the country. They are put to numerous hardships in railway travelling. It is the function of the State to protect the weak. The strong can protect themselves. The Princes, if they will, can do much to redress their grievances.

"The primary function of our Conference is to adopt means to pour life into a lifeless people. This task needs a number of selfless youngsters to go to the country and live amongst the people. To-day, there exists no bond between the people and your Conference. That bond must be created. To me, it appears there is no other means, but the spinning wheel to create these bonds. It is a leaf from the book of my experience. I am conscious that it would be a bitter pill to swallow for those who are enamoured of the machine age. Fulchanbhai and other workers who have been eye-witnesses to the splendid work being done amongst the Rani Paraj in Vedchhi near Bardoli will testify to the potential powers of the Charkha. You ask them what a change the Charkha has wrought amongst this once poverty-stricken, oppressed and drink-soiled populace. A self-confident man never gives himself up to despair, who would not pride himself to have been born in a land that gave birth to the greatest living man of the age who has been preaching to an ailing humanity his gospel of "Truth, Non-violence and Love."

### Resolutions

Among the important Resolutions that were passed (1) Urging Princes to introduce responsible government based on representative institutions, (2) for declaration of rights of citizenship such as rights of association, free speech, free press, pure justice, security of person and property, (3) for immediate removal of Viramgam custom cordon (4) abolition of forced labour, (5) urging Princes to put State budgets to votes of State assemblies and to fix their civil list, (6) to remove inter-statal custom lines, (7) for appointment of a Joint Board for management of Kathiawad State Railways.

The conference adopted the Nehru Scheme relating to Indian States and urged the Princes to abide by it.

A resolution expressing sympathy with the great movement for Swaraj and programme of work laid down by the Congress was passed.

Mr. Manilal Kothari speaking on this resolution asked all present to enlist themselves as members of the Congress, to boycott foreign cloth, wear khaddar and give their quota of earnings to the congress funds.

His appeal for funds met with a hearty response and over three thousand rupees were subscribed on the spot for work for untouchables for which Mahatma Gandhi had asked for Rs 5,000 in his speech. The Conference then terminated.

### The Utkal Provincial Conference

The 3rd session of the Utkal Provincial Conference was held at Balasore on the 30th MARCH 1929 under the presidency of Babu Gopabandhu Chaudhury. Many prominent public men from all part of Orissa attended the Conference. The first day's meeting terminated after the presidential address. The President in course of his address gave an outline of the national programme and the duty of the country at this national juncture. He spoke of the dire poverty of the oriya people and said that without amelioration of the economic distress political emancipation of the country was impossible. He next referred to the boycott of foreign cloth and explained how national industry had been ruined by foreign exploitation and fervently exhorted the people to develop khadi mentality which alone would ensure India's salvation.

The important resolutions passed in the conference included programme of impending struggle of 1930 under the leadership of Mahatma Gandhi, enrolment of Congress members, starting of branch Congress Organisation and vigorous boycott of foreign

cloth were the important items in the programme decided to be taken up by the Congress. Another resolution moved, seconded and supported by ladies asking the women-folk of Orissa to take up Congress work was passed with great enthusiasm. Two other resolutions one regarding amalgamation of oriya-speaking tracts and the other demanding carrying into effect the Flood Committee Report were passed unanimously.

The President, while winding up the proceedings highly praised the youths of Balasore for their enthusiasm and exhorted the audience to take up the Congress work without delay so that India may be free by 1930.

#### OTHER CONFERENCES

A Youth Conference was held at Balasore after the Provincial Conference under the presidency of Sj. Rajkrishna Bose. There was a large gathering of youths who displayed great energy and enthusiasm and made the Conference a complete success. A youth league was started and resolutions about boycott of foreign cloth, removing opium evil and introducing other social reforms, were passed.

On the same day a Woman's Conference was held in the Townhall under the presidency of Sm Sarala Devi. There was a large gathering of ladies and resolutions about social reform and boycott of foreign cloth were passed.

### The Bengal Provincial Youth Conference

The Bengal Provincial Youth Conference met at Rangpur on the 29th MARCH 1929 under the Presidency of Sj Sarat Chandra Chatterjee, the great Bengali novelist. The following is an exhaustive summary of the address delivered by him on the occasion.—

"As in my literary works you will find problems but no solutions, so also in my address you will find problem but no answer. It is for the Youth Associations to furnish an answer. This is the principal feature of my address. Let one thing be clear at the outset. That an Youth Association is at least partly concerned with politics, it is no use denying. This is one of its functions. The Bengal Provincial Conference is going to meet here two days hence. When the objective of both these bodies is about the same, what is the necessity of holding the separate Youth Conference? Though the two bodies have much the same exterior, when we look from inside the difference is very great indeed. The Congress is old like myself. The Youth Conference is young and pure hot blood still flows down its arteries, as it were. The Congress is the true resort of brainy men, lawyers and experienced politicians but the Youth Association is built up by intense earnestness and devotion of youth. The former is guided by acute worldly wisdom, the other is propelled by natural spontaneity of life. That is why the independence resolution which was passed at the Madras Congress as a result of agitation and excitement was neither true nor natural. Owing to this reason it did not endure. Before a year passed, it was nullified. The Calcutta Congress once again demanded dominion status instead of independence, but the younger generation did not heed this.

Wherever I glance, I behold the red rays of youthful regeneration. Not only in politics but in social and economic sphere, there is a new awakening. They are now realising that without them the well-nigh insoluble problems of the world can never be solved. The older generation sometimes reprimand them and say to the youths that they are inexperienced. Why do not the youths say in reply that their revolt is against the so-called experience?

But let me not be misunderstood. The Congress is the only national institution which does not submit to insult and opinion. In 1921, the Congress adopted non-violent non-cooperation, the soul of which was khadi and charka and Swaraj was promised by the 31st December. Inspiration came from outside Bengal but the number of men who went to jail, the quantity of khaddar and the number of charkas and the number of sacrifices made in Bengal were without a parallel in India. How

was this possible? Because, in all probability except the Punjab, no other province can claim to a part of deep love which the Bengal youths cherish for the country. That is why the "Bandemataram" emanated from Bengal and in Bengal was born the great soul Deshbandhu.

Proceeding S. Chatterjee condemned the attitude of Mahatma after the Chauri-Chaura incident as a result of which all hopes of India were dashed to the ground. The weaklings in Bengal outside the jail upset the work of Deshbandhu. Another situation had now been created by the Simon Commission, similar to that created by Jallianwallabag. He found to his regret that the incident and programmes of 1921 were being repeated. The leaders from outside were sitting on Bengal and he was afraid that nothing could happen by the 31st December, 1929. The only hope lay in the youth of the country. They should take a leaf out of the anti-partition agitation when Bengal was entirely dependent on herself. The political leaders might claim Swaraj on the basis of the misdeeds of the bureaucracy during the last 150 years. But the youths had a different stand-point. They would prefer independence to a dependent heavenly kingdom. To attain freedom, the price would have to be paid. Only the blood of youth could furnish that price. In every country in the world the youths had achieved freedom. There could not be exception in the case of India.

There was one word which was floating in this atmosphere of India, namely, revolution. He wanted the youngmen to remember that in no country did the people seek revolution for the sake of revolution. Real revolution was in the soul of an individual. Political revolution was possible only when the ground had been prepared by revolutionising the merciless society, a loveless religion, existing communal and caste relations, economic inequality and heartless treatment towards womanhood. If any of them had a revolutionary bent, they would not probably like his words. It is no use simply blaming the Government for the Arms Act. What happened during hundreds of thousands of years when there was no Arms Act? Bengal and India were enslaved over and over again owing to our own internal differences. From the time of Joychandra down to Mirjafar, this had happened. Even Deshbandhu had to waste most of his time and energy by fighting a section of his countrymen. In the youth associations, there were internal disputes and several groups.

In conclusion, S. Chatterjee laid stress on the boycott of British goods and British cloth. He said that it was no use attempting the boycott of foreign goods or foreign cloths. We should as soon as possible completely boycott the British clothes and for this purpose it would not be wrong to substitute even Japanese cloth as a substitute. Much energy should not be wasted over Khadi.

He condemned the philosophy of life which advised the curtailment of human want. Discontent was divine and progress would be furthered only by an attempt to satisfy our wants.

He referred to the last Bardoli agitation which was extolled so much by Mr. Naiman in his presidential speech at the Calcutta Youth Congress. He disliked one thing in that affair, namely, that leaders and workers should have proclaimed it as an economic question and not as a political question in order to bring about a compromise with the British Government. In conclusion S. Chatterjee paid a tribute to the Volunteers' Corps, organised by the last Calcutta Congress.

## Resolutions

The Youth Conference reassembled on the next morning, the 30th March, and adopted about 20 resolutions protesting against the repressive measures directed against the workers of the Bengal Youth Association for crushing the Youth Movement; strongly resenting the arrest of labour and peasants' leaders with the object of crushing the Labour and Peasants' movements; demanding national independence as the goal and removal of all obstacles standing in the way of the youth; urging upliftment of the labour and peasant classes and the youths to organise; educate and uplift labour and peasant classes; advocating physical culture and development and encouragement of the same by game and competitive physical feats; protesting against arbitrary proscription of national literature and publications for suppressing national movements; dis-

favouring admittance to the membership of the Youth Association to those supporting communalism in any public sphere ; advocating total boycott of British goods as honouring self-respect and helping national movement and boycott of foreign goods where possible ; disapproving the present Boy Scout system as creating slave mentality and advocating the reformation of the same on national lines ; urging students to put a stop to increasing female abductions, disapproving early marriage and supporting circulation of the Age of Consent Bill by the Sub-Committee of the Assembly and further urging 25 years as the marriageable age for youths and 18 for girls, and urging the formation of a permanent Volunteer Corps.

A resolution moved from the chair expressed condolence at the sudden and unexpected death of Lal Lajpat Rai.

The resolutions condemning communal organisations as stumbling blocks to national solidarity, urging boycott of British cloths whole-heartedly and urging removal of purdah, untouchability, caste system and all social disabilities were also passed.

Further resolutions urging an organisation of the peasants and workers on an economic basis, condemning the Government for arresting the leaders of the peasants and workers and for launching on repressive legislation against the workers of youth associations all over the country were also passed.

The conference further declared independence as the goal of youth movement and exhorted the workers to do all they could to remove obstacles in the way of attaining the said goal.

The conference further held the proscription of national literature as unlawful and high-handed. The Conference then terminated

## The Madras Youth Conference

The preliminary session of the Madras Youth Conference was held on the 16th FEBRUARY 1929 in the Gokhale Hall, Madras under the presidency of Mr. T. Prakasam. There was a good gathering of the youths of the city.

The proceedings began with the singing of national songs after which Mr. Trivikrama Rao delivered the welcome address. The following is a summary :—

### The Chairman's Address

Youth is essentially the period of highest activity and noblest aspirations. It is the transitional time when the emotions of a tender age blend harmoniously with the judgment of a dawning adolescence. Common aspirations enlivening their conduct impart a tone of fellowship and brotherhood rarely experienced in any other stage of life. Therefore it is that the youth movement seeks to interpret and express the longings of the younger generation of our country men, to take an active part in our national struggle, to contribute that measure of support and to develop at the same time that spirit of understanding which will bring harmony and efficiency into personal, social and international relations.

The newly awakened youth have begun to realise more than ever that for long ages a peculiarly unproductive, irrational turn had been given to their training and conduct. Free thinking, independent judgment and an unoppressed view of life had been denied to them because of established usage, hoary tradition, superstitious sentiments or a so-called elderly guidance. It is their challenge to convention and dogma that forms the soul and substance of their conduct and behaviour. The more objectively and analytically the sentiments of the new youth movement are translated into action, the more effectively would they function in their liberating purpose. The spirit and vitality of youth must not only be conserved but also directed into fruitful channels of humanistic endeavour.

Referring to the question of students and politics, Mr. Rao ridiculed the idea

that there should ever be an attempt to dissuade students from politics. And the speaker believed that "it develops on the youths to put forth the best of their talent and energy towards the task of reconstructing our political fabric and towards achieving for India a respected place in the comity of nations."

Touching on the Guzerat College strike, Mr. Rao said :—"It holds out an object lesson both to the educational authorities and to the students in the need for methods of conciliatory administration on the one side and the value of self-reliance, individual discipline and national dignity on the other."

As regards communalism, the speaker was of the opinion that separatist forces and artificial barriers in any form (either from state or society) must be levelled down in developing a healthy and complete national life. Concluding, Mr. Rao said :—

"Young India must to-day judge for herself her destination and destiny. Schemes of political advancement are kept before the country advocating different modes of national emancipation. To my mind, there is one and only one ideal that must guide our aspirations and influence our conduct. We find ourselves to-day not merely as the inheritors of a rich and ancient culture but also as participants in an enlarged life of humanity seeking peace, contentment and prosperity. Isolated life of India as such would imperil her future and stay back her precious contribution to the world's higher life. An indispensable condition to this flowering of her genius is freedom. So long as she lives a humiliated and emasculated career by remaining in subjection deprived of those inalienable rights of directing and shaping her destinies, that genius cannot blossom and thus cannot contribute towards the common riches of world culture. Her subjection is not only a national calamity but also a world disaster awaiting immediate redemption."

#### The Presidential Address

Mr T PRAKASAM, in the course of his presidential address, said that he readily agreed to preside over the Conference, because he always felt that he was still a student, a student with very imperfect knowledge. Before he entered the Assembly his ignorance about the working of the Indian constitution and about the economic condition of India so far as it related to the people at large was great. Speaking about the question of students taking part in politics, Mr. Prakasam said :

"When we are to-day face to face with a great national struggle advice is being given by some elders that students should eschew politics completely. If students should eschew it altogether, they will not be fit for any work. By entering into politics, I do not mean that when you are in colleges, when you are trying to pass examinations, you should become active politicians with us and that you should get into the heated and excited atmosphere of the present political agitation always. Politics is nothing if you are ignorant people. It implies full knowledge of the condition of one's own country, if not the conditions of the outside world. When I am addressing you on the question of politics it is my desire that no student should be ignorant of the political and the economic conditions of the country. Why should we find so much depression all around, in the youth conferences or in other political conferences? The problem of the day is unemployment. What is it due to? When we appeal to you to be patriotic, to come and join the Simon Boycott demonstrations, why should there be any trouble? If you had known the conditions of the country, if you had been taught in the schools and colleges anything of the economic conditions of your country, anything of the political working of the constitutions of your country, there is no need to-day to appeal to the youths of the country. If you have been studying about the revenue which the Government takes from the people, from the students for educational purposes and how much of the revenues are being utilised for the legitimate purposes of education, of cultivation and developing the industries, there would have been no difficulty on such occasions as these. If you had known that when a sum, nearly twenty crores is collected from a particular area and that only about half a crore had been spent for the benefit of that area during the last 30 years, there would have been no trouble when such appeals are being made to the youth of the country and to the masses. Last year and the year before there was a fight between the Government of India and the elected representatives with regard to the exchange question, whether the ratio should be 1sh. 6d. or 1sh. 4d. The Government has managed to get a success on that question. The loss

sustained by the poor people and by our tradesmen is extending annually over more than one hundred crores. We have allowed and our leaders have committed serious errors in the past. There was for us an occasion to collect a crore of rupees, and if that had been spent in establishing one central national educational institution, where real education could be given to all students, we would have been able to do some service to the motherland. What is it that you are doing to solve the unemployment problem? The Government is not interested in doing anything in this direction. You have to face and solve the problem. You would have been able to solve it, if you had been given the right education, and if you had been told how many employments are there under the Government. If you had known the real state of affairs, you would have been thinking for yourselves even while studying in schools and colleges about your future careers. That is not the case now. Those friends of mine who non-co-operated and have suffered miserably are again compelled by circumstances to come back and join the colleges to-day. That is because they had no right education. I don't really understand why the Government should have the trepidity to propound rules for the guidance of the conduct of young men, when they don't take the least possible interest to see that the young men are provided for when they had passed out of the colleges. The present system of education has only made all of us fit for clerks' places. Politics, those people might not teach you. I only wish there is opportunity for students to learn politics, and there is an institution where the young men should be taught all that is required for the equipment of their future lines. How else can you be fit? To say that students should not know anything of politics is, in my opinion, very wrong. I would call it a crime to keep students in the dark with regard to the constitution of their country. The unemployment question comes because you have been kept away from the knowledge required of you.

I don't agree with the sentiments expressed in the presidential address given to another section of the youth two days ago. His advice was that students should not get into politics, should not do anything which would displease the Government and the University authorities. While giving that advice he asked those very students to present a welcome address to the Simon Commission. If it was his real belief that students should have nothing to do with politics and that they should take his advice seriously, is it right that he should call upon them to get into the worst possible matter of the boycott of the Simon Commission and induce them to draft an address when the whole country is against that Commission? This is a clear proof that it is absolutely necessary that they should know and enter politics, if not always at least on occasions like this when the unwanted Commission is coming among us.

The President next laid great stress on the necessity for military training among the youths of the country and spoke how if this was given effect to the huge military expenditure incurred at present could be reduced. The Madras atmosphere at present was somewhat peculiar. It was neither bracing nor depressing. It was midway. Rumours were afloat that there would be strife in the city again when the Simon Commission would arrive on Monday next. He believed that there was no foundation for any such rumours. Even supposing some misguided persons might create disturbances, it was the duty of the youth of the country and its responsible leaders to prevent such violence. They must boldly face the situation and not run away as cowards. For his part he was prepared to be the first to lead any procession and face the consequences. They need not be worried about these things. It was their business to serve the country and they must try their best. If military training had been given to the youths and if the youths had been brought under the discipline of the army there would be no need to issue such appeals.

In conclusion, Mr. Prakasam appealed to them to be courageous and to decide for themselves after mature consideration their future action. He particularly appealed to them to take their part in the boycott demonstrations of Monday next and not to yield to any external influences to overcome them on that occasion.

### Resolutions

The following resolutions were then adopted :—

"This Conference places on record its profound sense of sorrow at the deaths of

Lala Lajpat Rai, Pandit Gobabandhu Das, Maganlal Gandhi, K. D. Shastri, Duggirala Gopalakrishnayya and Raja of Panagal and conveys to the families of the deceased patriots its heart-felt sympathy in their bereavement."

"The Conference expresses its hearty admiration of the heroic stand of the students of the Gujarat College and congratulates them on their victory in the struggle that they had put up to vindicate their rights."

"This Conference calls upon every patriotic youth to help in the effective boycott of the Simon Commission and requests the students to make the coming Monday's boycott demonstrations a complete success."

"This Conference expresses its profound admiration of the heroic attitude of the Bombay youths in the recent Bombay fracas and also expresses its sorrow for the demise of the noble souls who have sacrificed their lives in the defence of their country."

"This Conference expresses its willingness to identify itself with the social and constructive programme of the Indian National Congress for the year."

"This Conference of the Youths of Madras accepts complete Swaraj as the political goal of India and appeals to the Youth of the country to work for the liberation of the Motherland."

The Conference was then dissolved with another appeal from the President to the youths to strengthen the Boycott movement.

## The 'Andhra Student's' Conference

The eight session of the Andhra Students' Conference met on the 26th January 1929 amidst great enthusiasm in the Minerva Cinema Hall, Masulipatam, with Mr. K. Chandy, Vice-Chancellor, Mysore University, in the chair.

The Andhra Students' Conference was first inaugurated in the historic town of Masulipatam and the present Conference is the eighth session thereof. It was started with a view to promulgate an *esprit de corps* among students in general. Ever since its inception the progress made has been steady though slow. Last year the energetic Gunturians conducted it with unqualified success.

### The Presidential Address

The following are extracts from the address of Mr. K. Chandy, the President of the Conference.

It is a matter of surprise how a sundried bureaucrat, who has already been laid on the shelf, and whose contact with the Muses of learning is purely temporary and accidental, should have been summoned, from far away Mysore, to this beautiful city of ancient culture and traditions, for presiding at a conference of students in one of the most promising language areas of this continent. It is simplest and best to regard it as a mere gift of the gods for which one has got to be humbly grateful. This occasion should not, however, be allowed to slip by without giving a piece of information which will doubtless be interesting and might perhaps indicate the connecting link between the students of the Andhra University and me. Many years ago the Vice-Chancellor of the Andhra University sat at the feet of a guru who is now a member of the Government of Mysore and that gentleman himself, at a still earlier period, was taught by me, so that students of this university have a kind of remote intellectual or spiritual kinship with me. Perhaps that fact is an explanation why you have been pleased to summon me to preside at this conference.

It is only at the beginning and at the end of my official career that the student world has come into relationship with me. On account of the very heavy interregnum between these periods—during which time my work lay in quite other fields, it is exceedingly difficult to visualise the needs, the aspiration and the psychic content of students in order to be enabled to talk to them in a manner that, although lacking in the arts of oratory and of humour, might nevertheless be of some practical use in



these momentous times. A short time ago when the members of the Indian Economic Association were in session at Mysore, they and we were surprised at the high level of impromptu eloquence and humour that was displayed by some of the young undergraduates of the Mysore University ; it is likely—because people here have breathed the free atmosphere of this West longer than any others in Southern India,—that to-morrow afternoon speeches will be delivered by young students of the Andhra University which would be freer and perhaps truer than what most of us of the older generation can attempt. Among the students of India and possibly in this very audience there undoubtedly might even be some spirits that are 'standing apart upon the forehead of the age to come' who might 'give the world another heart and other pulses'. The function of the older generation in India at this moment is perhaps that of preparing the way, and clearing the ground, for enabling these young men to sound that note of harmony between the East and the West, between the material and the spiritual, between activity and quietism that is so much needed, if the civilisation of which we were proud till yesterday is not to crush in ruin about our ears.

A subject about which one might speak,—and speak for hours—is the need for clear analytical thinking, so that judgments, when they are formed, might be the result of reasoning and not merely of emotion. On account of reason being divorced from emotion in much of the thought of the 19th century, there is a certain amount of confusion or disharmony in Politics, Economics, Ethics and Sociology, but emotion divorced from reason which seems to characterise certain schools and certain people particularly in this country, is equally dangerous and liable to lead us far astray. If the need for clear thinking is urged before this audience of students, it is in the hope that, when they become leaders to-morrow, they will deliberately refuse to tread the flowery path of moving the masses of their countrymen by promulgating half-truths or untruths, however popular, with the help of the arts of oratory.

It is not my intention to advocate any scheme of politics before an audience of students, but politics gives one of the best examples of the dangers of unclear thinking. It would seem that some of the people that talk of the future constitution of India had not taken the trouble fully and clearly to understand the precise meaning of all the terms that they use. Democracy, representative government, responsible government, party government, Swaraj have all, as you know, distinctive meaning and implications but in many utterances these terms would seem to be used as if they had the same connotation in the minds of the speakers. It is interesting to notice in this connection that the late Mr. Montagu who combined in himself in a rare degree the qualities of emotion and of clear thinking had drawn up the formula for India in these words : "the gradual development of free institutions in India with a view to ultimate self-government within the Empire." It was a distinguished ex-Viceroy of India who changed the wording to the form in which it was announced, i. e., the progressive realisation of responsible government in India as a part of the British Empire. But the subsequent action of this most distinguished nobleman would seem to show that he himself had not clearly visualised all the implications of the words that he had used. Students will presumably wish that the formula of Mr. Montagu had held the ground. In that case, it would probably have been perceived more clearly that free institutions are merely institutions intended to cast out fear, to create initiative and to allow a people freedom to develop according to its own genius and common will.

An eminent savant from Europe who had come to attend the Students' Christian Federation asked me how it is that some Indian leaders are talking of Independence without having any kind of a programme and what they mean by speaking of Dominion Status as a step towards Independence. It is somewhat like talking marriage as a step towards divorce.

(The speaker then explained how clear thinking was most essential in the field of civics and religion.)

May I take up a moment more of your time in making a few practical suggestions ? The first suggestion is the need for organising these various student movements on an all-India basis with the idea of linking up the all-India student movement with student movements all over the world. It makes one sad to reflect that even in student movements the spirit of communalism is appearing. There is no future for

India, unless the young people cast off their communalism and build up in their student organisation a spirit of comradeship between members of various communities, religious and political convictions. It is unnecessary and it will be quite futile to think of standardising thought and feeling. What is required is a composite mosaic structure in which various organisations with distinct points of view might find a place and a voice. An all-India student organisation will be able to influence government in matters affecting the welfare of students, and perhaps change the scheme of education in the country so as to make it more useful and suited to our environment instead of being, in a large measure, only a means of increasing middle class unemployment. It will be something to be proud of, if the Andhra students, who combine in themselves the elements of practical ability and emotion, will take the lead in forming such an organisation. If an all-India student movement could be linked with similar organisations elsewhere, it will also go a long way towards preventing world conflicts in the future. It is perhaps not unwise to dream also that such a world-wide organisation might supplement the League of Nations, might find effectual substitutes for the zest and the glamour of war; and in any case sap the foundations of unhealthy nationalism and the war spirit, by members of the organisation resolving not to kill each other for any cause whatsoever.

Another suggestion, by following which students could improve their outlook on life is that, as in Germany and Europe, they might attempt, particularly during holidays, to get into touch with the masses in the country, do some actual manual labour for earning wages so as to relieve to that extent the burden of their education and thus get to understand conditions of labour and of the people living by the sweat of their brow. Indian thinkers do not seem to have laid sufficient stress on the dignity of manual labour. In coming years labour is likely to get more and more powerful. It is desirable for the good of the country that it should get intellectualised and spiritualised. Our educated young men should therefore get into active and sympathetic touch with the toiling masses both in the city and in villages. If there is such touch, the occasional breakdown of law and order in our presidency towns, for instance, will not happen. There is also the danger of class warfare, which is more dangerous than caste distinctions taking hold of India and it can be avoided only by sympathetic co-operation with labour. It ought to be possible for some of the professors and students to draw up schemes for achieving this object.

In India, the ideas associated with the scout movement with its ideals of efficient service are more useful. The catching on of the scout spirit in India and elsewhere is one of the few hopeful features of modern times.

It is gratifying that the need for physical fitness is being recognised more and more both by students and by the public. Judging from the utterances of men in authority it seems fairly clear that in the life-time of the young people present here, India will be able to undertake its own defence. Within that time, the League of Nations and the league of students might perhaps have effectually, and not merely on paper, abolished war; but force in the form of a standing army and navy and air force will be necessary for as long a time as one need think about. It is one thing to be aggressive; and another to be strong. In strength Indian youth ought to be able to give a good account of themselves. It should also be possible to give greater impetus to territorials with men trained in the University Corps as a nucleus.

There is one other matter about which a word has to be said. It is disappointing for those watching Andhradesa from outside, that the Andhras have not yet been able to find a solution of the question of a centre for the university. The latest idea is to have a unitary university with its headquarters probably at Vizagapatam and to give the other colleges back to the Madras University. It is rash for one who has no inside knowledge of this vexed question to venture to offer an opinion; but one may be permitted to recommend, if it has not already been adopted, the modern solution of a round table conference of representatives of the various conflicting interests. If such a conference should be held, it should have three aims in view, which are first, the interests of Andhra culture should have the first claim, second, the university centre or centres (in case a federal type is contemplated) should be selected solely from academic considerations and third, there should be no attempt to coerce minorities, but every attempt to persuade and convince. If an endeavour is made in this direction, a solution that is creditable to the practical

genius of the Andhra country is likely to appear. Some of your rich zemindars and merchants of whom there are many, will, it is hoped, make large endowments for the development of the Andhra University.

We have in India men and women of whom any country might be proud. There is Gandhiji whom several Westerners have declared to be the most eminent man of this generation. We have Tagore and Sarojini Naidu, and Professors Raman, Bose and Radha Krishnan, who have all won admiration from the whole world. In the humdrum field of statesmanship, however, it is difficult, off-hand, to suggest a few names on the same level of eminence as these are in their respective fields or even of statesmen of a generation that is past, such as Ranade and Gokhale. It might be that we are unable to see the wood on account of the trees—that is, that we have too many eminent men—or it might be that elderly people habitually turn the blind eye to ability in younger men—but it has got to be said that many Indians, including eminent economists, are agreed that in the utterances of modern statesmen and politicians, it is difficult to find the note of mastery of their subject that one noticed over and over again when men like Ranade and Gokhale spoke. There is, on the other hand, often noticeable, a want of appreciation of realities and actual conditions. It is difficult for most people to say "Here is a man that has thought out all aspects of the Indian problem and found the way." There are several, as I have said already, who have powerful magnetism and the capacity to influence crowds ;—but it does not appear that they have a programme, twenty, or even ten years ahead. It is not clear whether they have visualised the kind of India that they propose ushering in. The great educationist Dr. Miller used to tell us in his classes—he was one of the first to see the need for freedom for India—that Indian students are in several ways the best students in the world but have a strange capacity of keeping in different compartments of their brain, mutually contradictory thoughts. That is the generation that is now functioning and we seem still to have retained that capacity. It is difficult, otherwise, to understand, for instance, people advocating full blown democracy with party government on the one hand and suddhi, rank communalism, and the subjection of women on the other.

The youth of the present generation, however, seems to be out-growing that capacity ; and I wish them God-speed. The adventure of thought is the noblest of all adventures. If you follow that adventure fearlessly, 'though no great minstering reason' might sort out for you, 'the dark mystery of human souls,' yet 'vast ideas will roll before you' and you will 'glean therefrom your liberty.' Perhaps, if you are lucky, you may come across shapes,

More strange, more beautiful, more smooth, more regal  
Than wings of swans, than doves, than dim seen eagle.'

and be able to use that knowledge for the country's good.

Before sitting down, let me thank the executive committee of the Andhra Students' Conference for the great honour that they have conferred on me by asking me to preside on this occasion.

## Resolutions

The conference met again on the 28th January and passed the following resolutions :—

The conference resolved that proper impetus be given to the spread of female education by precept as well as by insistence upon the education of girls in every home.

Another resolution was passed recommending the formation, in the province of different students' organisations which would ultimately be affiliated to the All-India Students' organisation.

It was resolved that Hindi be made a compulsory third language in all schools and colleges hereafter.

Another resolution recommended that physical and military training be introduced into schools and colleges in future. The resolution was very enthusiastically received by the delegates and was passed unanimously.

The next resolution advocated the use of khaddar.

Mr. M. Das then moved that the Conference was to accord its whole-hearted support to Mr. Sarda's "Child Marriage Bill" in the interests of the youth in the land.

It was agreed, on the suggestion of the President, that the principle underlying Mr. Sarda's Child Marriage Bill would be accepted by the House.

"This Conference requests the Senate to create opportunities for all subjects other than English to be taught in Telegu (in all the High School and Intermediate classes) in acceptance of the principle of vernacularisation and wants that the scheme might take effect after the recognition of the Andhra University by all the other universities in the country.

"(1) This Conference of the students of Andhradesa congratulates the students of the Gujarat College on the bold stand they have taken and wishes them every success in their attempts to vindicate their self-respect.

"(2) This Conference of the Andhra Students calls upon all the students to boycott foreign goods and take to the use of home-made ones.

"(3) It is the request of the conference that the Andhra University authorities be pleased to do away with the present system of examinations and introduce in their place what is known as the 'tutorial system'.

"(4) This Conference views with alarm the recent communique of the Government as regards the future of the Andhra University and requests that a round table conference be held under the auspices of the Andhra Mahajana Sabha executive where different viewpoints might be fairly urged, and a settlement effected acceptable to all.

"(5) It is resolved that steps be taken by the Standing Committee of the conference (to be formed), to celebrate the anniversaries and birthdays of all great national leaders of our land and to prepare a calendar of such dates for the information of the members."

## The Sind Students' Conference

The Eighth Session of the Sind Students' Conference was held at Bhivia on the 24th JUNE 1929, under the presidency of Mr. G. N. Gokhale. The following is an exhaustive summary of the address delivered by him:—

"You will all admit that a change includes both a present and a future and so the first concern of every man who aspires to reshape the world is to learn to look at himself as he is. We all of us have our ideals and our likings, and very often we mistake what we like to be, or what we profess to be, for what we really are. We have no objection to asking a person clad in the choicest English clothes to unfurl the National flag of pure handspun khaddar, with the symbol of a charkha on it, as long as he jumps into some rough overalls before doing so. This is only an instance of the numerous hypocrisies which pervade our whole life in India, and if you wish to reshape India, I would ask you to put sincerity above everything else".

Continuing he said that he had seen college students who here said to have given Mahatma Gandhi a most eloquent address in khaddar cloth, clad in the finest English summer suitings three days after the event, and one of your own volunteers who came to explain to me the wonderful spinning competition you are going to have, was dressed in a nice English shirt and blue blazer. I am not asking you to wear khaddar or even Indian mill-cloth. That is for each one of you to decide for himself. But if you believe in the gospel of spinning, please do not murder that ideal by spinning yarn in English clothes. Whatever your convictions and your professions—right or wrong do not matter,—you must be prepared to sincerely stand by them, to suffer for them if need be.

If you want to get a thing, you must be prepared to pay the price for it. It is an immutable law of life that you cannot get something for nothing, and if you want liberty, you cannot get it by merely shouting for it. Even taking it in its narrow sense as political freedom, history will tell you that the British have not achieved that goal without centuries of struggle and without a heavy price, nor have they

built up an empire without the loss of many valuable lives. They are still groaning under the debts contracted to win the last great war : and if India wants similar freedom—practical and economical—it goes without saying that India have to pay for it. Of these let us take economic freedom first, because to me it appears to be by far the most important. Practical freedom no doubt makes it easier, but it is only a means to that end. By manipulating tariffs we can encourage or discourage foreign articles from coming into the country, but even if they do come, what matters ? Even under a foreign rule, none of us can be compelled to buy foreign things, if we do not want to do so. The only price demanded is the inconvenience caused. We send out of our country every year—3 crores of rupees for foreign liquors, 2 crores for cigarettes, 4 crores for biscuits and other provisions, 3 crores for betel-nut, 8 crores of rupees for sugar, and 1 crore for salt ; and no one can say that we shall all die in a day, if we do not consume these, and yet we educated people are mainly responsible for this drain.

In the practical field what stands in our way but the want of a spirit of give and take ? India is not populated by savages but by people whose ancestors were at the height of civilization, when Britain was yet a muddy marsh ; and if a few lakhs of the British can hold sway over thirty-two crores of Indians to-day, it is only because these 320 millions are divided in a billion camps. God did not create India for the sole benefit of the Hindu or the Mussalman, and there is nothing that either party 'must' have. In this democratic age birth in a particular family or in a particular religion ought to be no handicap but no qualification at the same time. Each man's special aptitudes which his heredity and environment influence to a great extent, cannot be ignored and all that a State can do is to give equal opportunities to all, not equal prizes.

The Englishman has been our ideal during the last hundred years. When we look at him, we cannot help noticing that he puts on a neck-tie and tight pants, and it was certainly pardonable to conclude that his success in life was due to those talismans. In our desire to be prosperous like him we have all given his stiff-collar, his tail-coat and even his peg of whisky a fair chance and still we have not progressed very much. They are making the same experiment on a large scale in Turkey, and it is said to be a greatest success, but in Afghanistan it evidently did not produce very good results. Some of us grown-ups have begun to feel rather uneasy about it, and we have a suspicion that the causes of the Englishman's prosperity—or even the Turk's for that matter—may be deeper down, however convenient the English dress may be, and is in a cold climate, we know how uncomfortable it is in a hot country like India, and yet we see all Englishmen suffer tortures to preserve their dress, as a mark of their nationality. It is not by doing what the Englishman does, but by doing as he does, that we shall succeed like him. Whether you will like the Englishman's neck-tie or his patriotism is one of the questions that you youths have to decide. I know that dress does not make a man, and the clothes may be said to play a trivial part in a man's life, and yet inasmuch as they reflect his inner mentality, they are in my opinion a matter of vital importance. We are still living in an age, especially in Sind, where all those who do not put on English dress are "cranks," and where a fashionable English cut is necessary even for handspun khaddar.

Concluding his address Mr. Gokhale said :—

Having made sure of the will and acquired the necessary wisdom, you have then to act. As a book says, it is not enough for a hungry man to admire the food that is placed before him. Even a resolution to eat does not carry him any further. He has to eat the food before it can satisfy his hunger. That is the third aspect of the problem. At every conference and congress in India we pass so many resolutions, but they all lead to nothing. In the first place a great many of these resolutions are made without counting the cost, and no one has the energy to put the others into practice.

## All India Depressed Classes' Conference

The fourth All-India Depressed Classes' Conference and the 12th Madras Presidency Adi-Dravida Conference was held on the 24th February 1929 in the Victoria public Hall, Madras under the presidency of Mr. B. C. Mandal of Bengal. This was the first time that a depressed classes' conference of an all-India character was held in the city and the conference was very largely attended and great enthusiasm prevailed. A number of delegates from all parts of India was also present. The conference was organised by the members of the Registered All-India Adi-Dravida Mahajana Sabha.

The proceedings commenced with prayer. Rao Bahadur M. C. Raja read a message of good-will and blessing from His Holiness Swami Om Prakash of Sree Dakshinamurti Mutt, Nilgiris. Mr. R. T. Kesavalu next performed the ceremony of hoisting the depressed classes' flag.

In doing so, he first referred to the great sages that their community had produced and then to their present condition. He said that the heavy burden of degradation accumulated for ages upon them and the spell of untouchability cast around them for centuries was too much for them to lift their heads or to think of their own low position. He thought all fair-minded persons would admit that it was monstrous that a class of human beings should be perpetually kept down. Was it not a standing disgrace to call them as depressed? The question of depressed classes was a national interest. How could Indians possibly expect their country to take her place among the nations of the world, if they kept such a large number of their own countrymen to remain in ignorance and degradation for centuries. Unless they allowed them to rise up equally with others normally and intellectually, they could not expect them to co-operate with the other communities in their national efforts. The Congress, year after year, passed resolutions. But in the matter of untouchability nothing was done by the Congress. Even the other parties that had been in power since the introduction of the Montford Reforms, had not done anything practically except introducing a few bills such as State Aid to Industries Bill, the University Bill, and the Hindu Religious Endowments Bill. Even in passing the last Bill, they had been cautious enough to exclude the depressed classes from all provisions of the Bill. In the corporation meeting the other day, the Swarajist members heckled the President for not having invited them to the Harbour on the day of arrival of the Commission. Might he ask Mr. Satyamurti and others, who felt so much that the President had insulted them, how much the poor depressed class community would feel when they were not allowed to get into the temples and to have any social intercourse?

"Because you were allowed," the speaker declared, "to handle the law of religion you have framed your own rules to call us as a fifth-class and to keep us out in all social matters and in the question of temples. Is it not a breach of trust on your part? Is it not a serious criminal offence that you have committed on a section of your own countrymen? If only law and order is given in my hands to-day I will simply deport all such authors of the caste system out of India. Let us therefore be united and establish our birthright in this country. In hoisting this flag to-day we are establishing our birthright. The day is not far distant when we will have the supreme power in our hands and will be the masters of this land."

### MR. GAVAI'S OPENING SPEECH

Mr. Gavai, M. L. C. (C. P.), in opening the conference said that their movement was still in infancy and what was required was a well organised movement on constitutional lines. He next referred to Mr. Jannalal Bajaj's services to the depressed classes and stated that Mr. Bajaj deserved their congratulations for his keen interest in their welfare. Even the Government had now begun to reluctantly give the members of the depressed classes their proper share in the administration of the country. They must remember, however, that they had to travel a long distance to reach their goal. Their battle had just commenced. They had to unite together. They were oppressed and it was their right to rebel against the oppressor.

**Welcome Address**

Mr. K. V. SWAMI, Chairman of the Reception Committee, in welcoming the delegates, first referred to the various disabilities of the depressed classes and suggested the following remedies for their amelioration. He said that the Hindus, the Mahomedans and the Christians had established colleges and universities for their respective communities. Even though he did not want the establishment of such sectarian institutions for the depressed classes, he desired that some arrangement should be made which, while removing the evils and disadvantages of purely communal interests, would, in all respects, serve the purpose of a university for their community. With this view he suggested that an All-India Depressed classes' Educational Society should be formed and a fund of at least two crores of rupees be raised. Instead of entrusting their education to the hands of caste-Hindus, either officials or non-officials of Government, the Government would be well advised in subsidising the All-India Depressed Classes' Educational Society in its work of educating the community. In addition to this, children of the depressed classes should be admitted free of charge in all schools and colleges and the education of the depressed classes should, instead of being made a transferred subject, be a charge on the revenues of the Central Government and must remain reserved. In the case of the depressed classes there should be no restrictions of age for appointments in public services and a Government order to this effect should immediately be issued by the Government of India.

Referring to the political situation, the Chairman said that the history of the reforms of 1919 during these ten years was a monumental testimony to the oppressive attitude of the Indian politicians towards the depressed classes. The party in the Madras Legislative Council passed laws to cripple the activities of the Labour department and even to abolish the whole department altogether. The party came into existence with all the magnificent ideals of political justice but in its dealings with the depressed classes its ideals had nothing but injustice. The administration of the transferred department under the Ministers had been nothing less than a tragedy to the depressed classes. The subject of depressed classes should be in the hands of the depressed classes Ministers and the expenditure thereof should be a charge on the Central Government. A Standing Committee should be appointed to look into all questions relating to the interests of the depressed classes and above all the monstrous custom of caste should be abolished by statutory legislation.

Alluding to the Simon Commission, the Chairman said that whatever might be the arguments for boycotting the Commission, it would be a bad lesson to an illiterate populace steeped in superstitions to follow the boycott. The depressed classes should never fail to welcome the Commission and give them their fullest co-operation.

**Presidential Address**

The President-elect, Mr. B. C. MANDAL was next installed in the chair after which he delivered his address. The following are extracts from the address :—

Referring to the causes of dissension in the country and the political unrest he said : "The differences of religions, languages, manners, custom, caste-prejudice and mutual distrust have prevented the building of a nation. No united opinion has yet been formed. No movement can stand without the support of the masses who are the real backbone of the country. In fact, poverty, illiteracy and caste-hatred have played the most prominent parts in creating disunion. A number of unseasoned politicians thought that the British people would get frightened at their tall talks and go away leaving India. But none of them cared for constructive work. Another group of political babblers has begun to try to secure their end in view by argumentation in the legislatures and exposing or decrying the British rule. But they too do not care for any practical work in the country. There has come recently another gang of chatterers who blow hot and cold at the same breath preaching for Dominion Status as well as for Complete Independence.

At this discontent of the unemployed caste-Hindu who is trying to create disturbance interfering with the peaceful administration of the country, His Most Gracious Majesty the King-Emperor has sent one year earlier than the time prescribed in the Govt. of India Act of 1919 seven members of the British Parliament to look

into the cause of the Indian discontent. Now the discontented Indian understands that if a proper investigation be made, his usurpation of all the rights to the exclusion of Mahomedans and depressed classes, is sure to be detected and justice, if at all done, might deprive him of something more in the services and administration of the country in which he had an exclusive monopoly so long. So he pretends to boycott the Commission, asks the Mahomedans and depressed classes to follow him. But they have grown too clever now to hear him any more. Nobody asks him to co-operate with the Commission but still he is sending some of his relations to do so. The loud talkers of complete Independence should cease talking and begin a regular sanguinary battle, if they heartily want severance of the British connection. Have they got the power of self-protection, if the British leave them alone immediately? Even in a dream the movement for complete independence cannot be supported at the present stage. Because neither India has got any army, nor navy, nor has she been able as yet to build a united nation for so serious an action as declaration of complete independence. Indeed, India is unfit for anything like that. Two youngsters of Bengal and U P and a third disappointed Madrassee are spreading this frenzied gospel, whereas the grey-hairs are making a somewhat moderate demand for Dominion Status—which means that they want British connection. But how can there be any connection at all without co-operation? They are against co-operation because they have been denied the power of self-determination in the appointment of the Commission. Very good, how is it possible to acquire the right of self-determination without the previous possession of self-protection? Babies they must be who cannot protect themselves, and yet want to determine their own actions. Can there be anything more ludicrous than this? The tune of Dominion Status and the voice of boycott are not in harmony with one another in the music of political jugglers. Had I got the misfortune to be born of a family of man-haters, the caste-Hindus, I do not think I could support such a view which is very childish and so very ludicrous. If the free and compulsory primary education be introduced to-day, if the caste system be abolished to-morrow, and even if the poverty of the people be put to an end to the day after to-morrow by some supernatural power, the question of Dominion Status may arise after some considerable period of time. Otherwise it is sure to be an oligarchy which the so-called patriots mean at heart, though they cry for a popular Government. The organs of the so-called parties of the country preach the views of their patrons in the name of the masses.

Friends, do not have any faith in these jugglers of politics until caste system is totally abolished and unless free and compulsory education is introduced. The British rule is a divine dispensation in India. The jugglers talk of equality and fraternity but their sympathies are lip-deep. They have been giving us bluffs for the last five thousand years. The great bluff of giving due shares to the Non-suras depressed classes (ancient Indians) in churning out nectar (modern Swaraj) will be staged again if we listen to them whose gospel is their maw. If the Simon Commission fail to recommend to the British Parliament for us separate electorate and proportionate representation in services, we must think that the great contagion of caste-prejudice, which fills the very atmosphere of India, might have infected their sense of justice. In Bengal, Madras and the Punjab we have got unexpectedly some Englishmen suffering from the plague of caste-prejudice. In Europe the son of a butcher can be a Mayor, the son of a shepherd can be an Emperor, the son of a tanner can be a Prime Minister, a sailor can be a King; but here in India a ferry-man's son, though a distinguished graduate of the Calcutta University cannot be even a Sub-Deputy Magistrate; whereas non-matriculants belonging to castes other than the depressed can very efficiently work on the Governor's Cabinet. What does it prove? The talk of efficiency means to silence the just demands of the oppressed classes. Is it not immoral to invite a man to run a race in competition, after having broken his legs? The Depressed Classes have been denied the light of general education for the last five thousand years. How can they compete now? Recently in Bengal one educated member of the depressed class became unable to maintain his family for want of a job and put an end to his life in utter disappointment.

The so-called patriots of India demand political rights, but they are not ready to give social rights to their own countrymen. Those who are very liberal amongst



them try to satisfy us with the false assurance of gradual changes in social problems, but they do not talk of evolution when they cry for more political rights, they are out and out revolutionary. But we are supporters of evolution in politics and revolution in social reforms. The greatest blunder which the Indian National Congress has been committing is clearly manifested in its shyness and inaction with regard to the abolition of castes which are about three thousand and five hundred in number. Friends, you are aware that before America declared the War of Independence, she had declared the total abolition of slavery. But the Indian politicians want to declare independence before they declare the abolition of the Indian slavery called caste-system.

Internationalism is the modern thought of the world. But the trend of the so-called patriotic feeling has preferred nationalism to internationalism. The advocates of Indian nationalism hold that they cannot bother their heads with international ideas before they have secured complete independence. Similarly the depressed classes cannot and should not entertain any feeling before they have fully attained the just and equitable share of the rights of their own community. There seems to be a class of British thinkers who are not thoroughly aware of the peculiar position we hold and whose general supposition is that the separate electorate system would not raise the social status of the depressed people of India. This imaginary apprehension is absolutely groundless. The wearer knows best where the shoe pinches. We have been enjoying joint electorate system up till now. But no improvement has been made as yet, whereas we find the Mahomedan community in a short period of eight years on a count of separate representation has made a considerable progress in its social, political and economic status. If adequate protection be afforded for political rights, then, social and economic status is sure to grow rapidly, because political status is the highest of all in its kind. The political domination by caste-Hindus has deprived the depressed classes of all they had. Communalism may be a advice in Europe where equality prevails, but it is the real justice in a caste-ridden country like India. Arsenic may be a poison to a man of normal health, but it is prescribed by learned doctors for their patients. If a further instalment of reforms be given without proper safeguards, the white bureaucracy will be replaced by a brown oligarchy which is apprehended by us as a license granted for unlimited oppression by the castes of the non-castes. Unless we get separate adequate representation in the legislatures and in the actual administration of the country, our interest will remain ever in danger. We regard the appointment of Sir John Simon, the greatest lawyer of the British Empire, and his worthy colleagues of great political thought on the Indian Statutory Commission as a great event. The joint electorate system will make the Government weak and ludicrous in legislatures; the reservation of seats will not adequately safeguard the interests of the depressed classes; undesirable elements are apprehended to be returned through the undue influence of caste-Hindus in the joint electorates and render the reservation absolutely useless with a view to defeat the Government in every thing. My friends, do not depend upon any body, try to raise yourselves, have faith in God and in your own selves. The very desire to rise, in the minds of sixty million people, will shake the throne of God and we must succeed in spite of the strongest opposition from all quarters.

There is a large number of industrial workers amongst us. Many of you belong to tea, jute, coal, railway and agricultural industries. I wish to tell you one thing. Don't believe any body and everybody. There are many communists who pose themselves as great friends of labour. Beware of these friends. They want to spread communism in the name of "Trade Union Movement" by fomenting strikes with the help of Moscow money. But you are all aware of the Indian proverb that "a baby cannot live for long on the borrowed milk, unless it gets to suck its own mother's breast". Why have almost all the Indian strikes failed? Because Russia cannot afford to send an unlimited and untold treasure for making propaganda in India. Why did the strike leaders in recent strikes in India advise the strikers to beg from door to door? Why were the strikers ultimately compelled to agree to the most dishonourable terms dictated by the capitalists? Because their so-called leaders never gave them that kind of education which is required for the healthy growth of Trade Unionism in India. Without giving proper training to the workers, without

making their organisation strong and without raising sufficient funds from the indigenous sources, they generally deliver fiery emotional speeches and taking advantage of their ignorance mislead them to Strike. But I wish you to join the Constitutional Labour Movement which is the only way to get what you actually want, I mean better wages fixity of minimum wages, sick benefits, death benefits, cheap credits, better housing, better clothing, free primary education and adequate representation in self-governing institutions. You cannot expect anything of the kind except revolution from this class of so-called friends. As a matter of fact the industrial workers of the depressed classes labour under social difficulties besides the exploitations by employers, money-lenders, landlords, politicians and communists. Unless you organise yourselves by starting Labour Unions at different centres of the districts you come from, there is no hope of your uplift.

### Resolutions

The Conference reassembled in the evening and passed the following resolutions :—

"This Conference humbly pays its homage of loyalty to the British Throne and prays to God that His Majesty the King-Emperor and the Royal Family may rule long over us, so that through them the British Ideals of justice, freedom, and progress may be established in our beloved motherland, India

"In view of the fact that the depressed classes constitute the majority of the labouring population of India, this conference requests the Government of India to appoint a member of the depressed classes to represent Indian Labour at the International Labour Conference.

"The Conference requests His Majesty's Government to appoint a member of the depressed classes to the Whitley Commission to represent Indian Labour in that Commission.

"The Conference requests the Government of India to take immediate steps to establish special separate departments in all the provinces to work for the amelioration of the condition of the depressed classes.

"In view of the most backward condition of the depressed classes, who constitute not less than 50 millions of the population of the country, this Conference urges on the Government of India the necessity of enquiry into their conditions and therefore requests the Government to constitute a committee of enquiry at an early date.

"The Conference resolves that an All-India Depressed Classes' Educational Association be formed in order to take steps to concert measures for giving facilities to the children of the depressed classes for higher education and call upon the All-India Depressed Classes' Association to take early steps to form such an association.

"The Conference urges the British Parliament that in the future constitution of India, Depressed Classes should be given separate representation in all the legislatures of the country, in the local self-government bodies and in the public service in proportion to their numerical strength.

"The Conference is of opinion that certain statutory safeguards should be embodied in the future constitution of India so that a member of the depressed classes will find a place in the Governor's and the Viceroy's cabinets.

This Conference expresses its confidence in Rao Bahadur M. C. Raja, the President and Mr. G. A. Gawai, General Secretary of the All-India Depressed Classes Association. With a few remarks from the chair the Conference was dissolved.

### The Madras Depressed Classes' Federation

The second provincial session of the Federation of the Depressed Classes was convened on the 16th February 1929 at the Pachaiyappa's Hall, Madras under the presidency of Mr. N. Sivaraj M. L. C. A large body of the members of the Adirayida community and others attended the function.

After prayers, Swami Sahajananda requested Dr. P. Subbaroyan to open the Federation.

Dr. P. SUBBAROYAN who was then garlanded in declaring the Conference open first expressed their thanks to the Almighty for the recovery of their beloved King-Emperor. Proceeding he said he had been interested in the welfare of the Depressed Classes since he came to know the late Mr. K. Ranga Rao, his own father-in-law, who was probably the first to work for the uplift of the Depressed Classes. He then paid a tribute to the late Lalaji, Raja of Panagal and Mr. S. R. Das who had been champions of the cause of the Depressed Classes.

Continuing, he said that he was glad they had learnt that everything depended on themselves. Self-help alone could enable them to achieve their betterment. The Government was doing its bit by the Labour Department but the main effort must be their own. Secondly, they should not stand in the way of political progress in this country, for if political progress came, their progress would also come in its wake. Under any system of democratic Government it would be impossible for any State to keep one-sixth of the population of the land in a condition which could only be described as shameful. If once self-rule became an accomplished fact he was sure people in power would vie with each other to get their help. He knew they did suffer many drawbacks, and had been kept down for centuries. For that, he was sure, everyone of the high caste Hindus would in his own home be ashamed of the treatment meted out to them all these ages. That really was not the basis of Hindu religion but the shackles of priesthood that had come in after-times had really made their condition lowly. He was glad that members of the Depressed Classes from all over the province had met there that evening and this really showed their being alive to their problems. He only hoped they would not fight among themselves, for he knew from experience that diversities did exist in their own midst. He was sure if one-sixth of the population raised their united voice, no other community could possibly keep them back. He had great pleasure in declaring the conference open.

#### The Presidential Address

Mr. N. SIVARAJ was unanimously elected as President and formally installed. In the course of his presidential address Mr. Sivaraj spoke to the audience about their immediate concern—the Simon Commission and their attitude towards it and of their amelioration in general.

After thanking them for the honour done him in electing him president, and paying a tribute to departed leaders like Lala Lajpat Rai, Raja of Panagal, Mr. S. R. Das and Swami Narayana Guru, Mr. Sivaraj proceeded to state their political outlook. "Allow me at once to deal with the burning topic of the day. The Indian Statutory Commission is due to land at the Madras Harbour the day after to-morrow. I need not remind you of our attitude towards the Commission. I have only to recall to your minds the reception that we gave them last time. Our clear duty therefore now is to give them a glorious reception and welcome them to our Presidency; more so because the problem of the depressed classes of India is to be studied and discussed by the Commission in our midst and from the point of view of this Presidency. We should, by the way, congratulate Sir John Simon and his colleagues on their wise decision about tackling the problem in Madras; because nowhere are the members of our community the victims of such untold sufferings and inhuman treatment at the hands of our fellow countrymen as here. In this action of ours we are but doing what our instinct of self-preservation dictates. I am glad that the members of our community all over India have by co-operating with the Commission, put their case before them and have been able to convince them of the necessity and the importance of safeguarding our interests in any future constitution of India. In fact our people have realized that they would be committing political suicide if they followed the advice of the so-called nationalists to boycott the Commission. It was the opinion of one of the greatest and most sincere patriots of India, the late Lalaji, that whoever may or may not, the depressed classes must co-operate with the Simon Commission, if only to save themselves from total annihilation in the future. Who does not co-operated every party does, in some form or other. The report even of the All-Parties' Conference is not so much an answer to the challenge

of Lord Birkenhead as a glorious memorandum prepared, though indirectly, for the benefit of the Commission by some of the statesmen of India. Probably the report has already largely influenced Sir John Simon and his colleagues to focus their attention upon the question of Dominion Status and full responsible Government.

What is to be our attitude towards the question of Dominion Status and Responsible Government, and what is our duty to the land of our birth? These are the questions to which we must address ourselves. Personally I feel that our attitude should be one of helping the Commission and the politicians of India to arrive at a satisfactory settlement of the various conflicting interests in the country, without throwing any obstacles in its way. I do not think any Indian of whatever status can afford to stand aloof and oppose the grant of further reforms, if thereby the interests of India and her masses will be better served. I should be sorry if any member of our community should feel or say so. But it is doubtful if the so-called interests of India do not in practice mean the interests of the few wealthy, high caste educated Indians. Will the extension of reforms mean the liberation of those already free and the further enslavement of those that are treated as serfs? If so, we should oppose the introduction of any new element in the constitution. I therefore, consider that the extension of the degree of responsible government should be the extent the depressed classes of the country are able to share that responsibility by the improvement of their educational and economic standards. The Government should bestir themselves in this direction if they are bent upon introducing responsible self government.

The most difficult task that Sir John Simon has before him is to see that political power vests equally in all the communities. In his anxiety and haste to introduce into India a system of Government akin to his own, the Britisher may quite unconsciously subject our vast millions to endless slavery, unless of course, necessary safeguards are provided in the constitution. He must be warned of the danger and consequences of transplanting wholesale, in the name of reforms, what was evolved in an island with a homogenous population and uniform culture on to a continent, divided as India is, into so many races, religions and languages and overlaid with hoary customs, and silly superstitions. It may be asked how far the rule of law, the underlying principle of the British constitution, has taken root in this soil, whether during the 150 years of British administration it has displaced even partially what I may call the rule of custom, which was the basis of all Indian administrations. Unless we are able to answer the question in the affirmative, we cannot say that India is fit for free and responsible Government. I venture to state that custom in our country is very often strong enough to defeat rights vested by law. Our people willingly submit or are forced to submit to custom to the detriment or loss of their legal rights. In view of these, it is necessary for us to demand statutory safeguards to ensure equal opportunities to us and protection of our political and legal right in any system of Government that may be ultimately devised for India as a result of the Parliamentary enquiry. In revising the constitution I hope the Parliament will bear in mind that whereas in England, the institution of Government forms part of the daily life of the English citizen, here in India Government has been and still is something extraneous to the ordinary Indian, and is perhaps itself a separate community amongst the many communities, only with organised force behind it. The Parliament must also remember that our community has rendered useful service in the great war, and deserves special consideration therefore in its hour of trial.

Holding as we do these views, it is difficult for us logically to advocate a complete transfer of power to our own fellow-countrymen, which course, as things stand at present, means political extinction for us in the future. I am anxious however that we should not, on this account, be misunderstood by our caste Hindu brethren. I wish to make it quite clear to them that nothing is farther from our minds than to checkmate the political progress of India, by bringing the distressing state of our condition to the forefront. If responsible government, for instance, in the provinces must be given, what we ask for is that we may be given special protection and a definite share in it till such time as we need it. If for any reason the constitution should disregard our claim, which I hope the authors will see does not happen, the Parliament will be sacrificing truth for fiction, and justice for a formality, and will be handing over numbers of helpless people to the tender mercies of the higher classes in whose hands a new and additional instrument of oppression, viz, political power,

will have been placed. What are to be the safeguards. I need not reiterate what has been said by others on this matter, but will merely state that amongst others, representation in the legislatures and local bodies, representation in the services, compulsory free education up to high school standard, and agricultural colonies ought to be the subject matter of safeguards.

The address then drew attention to the condition of the depressed classes economically, socially and educationally and referred to their several disabilities in these and several kindred matters. The remedy for these, said the President, lay in their own hands. They should not expect a Britisher or Government or any extraneous body to come to their help. They must fight their own battle and free themselves from the bondage. The first step was organisation, which only would give them strength and self-help. In this connection, he was glad that initial steps had been taken by the formation of a provincial federation, and it was necessary for them to have a strong and representative All-India Federation of Depressed Classes. The next step was the education of their boys and girls. Their economic position must be bettered. "There is no use of our remaining mere agricultural labourers all the time", he said. "We must become increasingly cultivators of our own farms, preferably in agricultural colonies and settlements. In addition, we must take to trade, and try as much as possible to eke out our earning by being retail and wholesale traders. We must give up the idea that these vocations are the monopoly of particular classes. There is no use of depending upon Government for our employment always. No doubt there is one department, the Military Department, in which the Government can lend us a helping hand and thereby raise our social status. I feel that, through the agency of co-operation, properly and sincerely worked, many of our economic problems will be solved."

#### OUR SOCIAL DISABILITIES.

There is the course of untouchability. We must be grateful to those who are working to remove it. In spite of their honest efforts, we still find that the problem is not nearing solution. It is probably because the evil is deep-rooted and must take time before it can be completely eradicated. I have a feeling however that people persist in keeping this custom and similar ones, not because they sincerely feel it is their religious duty because it confers upon them an economic advantage. With education and better facilities for water-supply, sanitation, housing, etc., the demon must disappear. There are other social disabilities too well known to need mention here, and they must be tackled too.

The only cure for all these ills is social legislation. I doubt if social legislation will make headway hereafter. I rather think there may be reaction when once our countrymen are politically free. They may not have time to think of these things. But it is difficult to forecast, the future is uncertain. The danger, however, of keeping a vast number of people in social degradation and consequently discontented, is one which those in power ought to take note of and do the needful; otherwise, the resulting discontent will be exploited by interested persons to the detriment of the peace and prosperity of India. There is no more urgent need for India than to place her new political structure on sure and secure economic foundations, which must depend largely upon the contentment of the working classes, depressed and otherwise. The very hopelessness of their task will, I am afraid, give them hope; they will have their way sometime or other, when they still find no change.

Questions such as adult franchise, separate electorates and reservation of seats are very important, and you must consider them calmly. There is no use our following the phantom and ultimately burning our fingers. I am by being a member of the Madras Parliamentary Committee, bound to reserve my opinion on these questions. But I shall be very glad if you can discuss these questions with care and deliberation, and give me your considered opinion. Do not talk about these things because it is fashion in politics to do so. There is again the question of the organisation of the Labour Department. The work of the department has considerably increased, on account of more districts coming under the scheme and it is bound to increase if the Labour Commissioner is a sympathetic and sincere friend of the depressed classes. The staff and the number of officers therefore must be increased to cope with the work. Another question is whether the Depressed

Classes' affairs should be a central subject, under the Government of India. It bristles with difficulties. But you must consider carefully.

I must close. If I have been brief and not touched on all the points which you would wish me to, it is because others have done it before and mine will only be a needless repetition. In fact every member of the depressed classes has the same thing to say over and over again. The community has all the time to think of its endless sufferings and has no time left to indulge in subtle political discussions, though its leaders, divided by jealousies can afford to waste time without doing the service that is required of them to improve the condition of the community. I think the time has come when you should take interest in your affairs, and make your leaders feel that they have a community to think of and to be put before themselves."

#### REPRESENTATION ON PUBLIC BODIES

At the request of the Chairman, Sir A. P. Patro and Mr. A. Ramaswami Mudaliar next addressed the gathering. Sir Patro said that the one problem they had now to consider was how best all the sections and the divisions of the depressed communities would be represented on public bodies. It was important that they should organise themselves in the city of Madras and also in the mofussil districts and taluks, and form a central association in each district fully representative of themselves so that from these districts they might be able to send their own representatives to local bodies and the Legislative Council. He knew they were all dissatisfied with the present system of nomination and that the nominations did not secure real representation in the interests of the depressed classes. But what was the alternative? That was what they should consider. They should consider if adult suffrage or reservation of seats or a special electorate would help them best. They might also consider an alternative which he himself and some other friends had informally put forward, viz, introduce election at some stage or another, and have an electoral college from which nominations should be made. It was a preliminary step taken with a view to give them political education directly because nomination as such would not give them responsibility of such education. Let them consider these questions, and if they passed a definite resolution on these difficult questions, it would help them in presenting their case before the Simon Commission. But let them avoid factions in their own camp. They should remember that there were persons in every other community working for their uplift and therefore, they should not indulge in invectives against those other communities but always press for their own rights in the best terms possible.

#### Resolutions

The secretary of the conference then read messages and telegrams from several persons wishing the conference a successful session. Resolutions were then taken up. Two resolutions were put from the chair and carried unanimously, one re-affirming loyalty to the British Government and praying for the speedy recovery of His Majesty the King-Emperor and the other expressing their profound sense of loss at the deaths of Lala Lajpat Rai, Swami Iswarananda, Mr. S. R. Das, the Raja of Panagal and Swami Narayana Guru, and offering their sincere condolences to the bereaved family.

The next resolution offered welcome to the Royal Commission and ran as follows :—

"The Conference extends a most hearty welcome to Sir John Simon and his colleagues to this historic city of Madras.

The following two resolutions were next passed after which the Conference terminated :—

"This Conference is in full agreement with the Memorandum submitted to the Indian Statutory Commission by the Committee appointed at the Depressed Classes' Conference held in January, 1928, and also with the supplementary one submitted in October, 1928, by Rao Sahab R. Srinivasan, M. L. C., President of the Provincial Depressed Classes' Federation, and commends the same to its acceptance."

# The Women's Educational Conference

Before a large and distinguished gathering of delegates and visitors, Lady Stephenson opened the All-India Women's Conference on Educational Reform, at Patna on the 3rd JANUARY 1929. Among the prominent delegates, who numbered about 200, and visitors, were Mrs. Tambe, Mrs. Sarala Devi Chaudhurani, Mrs. Faridunji, Miss Lazarus, Miss Khem Chand, Mrs. Shukla, Lady Shitole, Sir Mahomed Fakhruddin, Minister of Education, Sir Ganesh Dutta Singh, Minister of Local Self-Government, and the Raja Bahadur of Amawan.

Mrs. MAZHAR-UL-HAQ, Chairman of the Reception Committee, welcoming the delegates, said that the question of women's education was the root question upon which the advancement and welfare of the Indian nation depended. A nation was bred and brought up in its mother's laps. People who did not respect their women, if not destroyed to-day, would be destroyed to-morrow. The cause of the downfall of India was the ignorance of her women. Given the same education as men, women could rightly claim equality with men.

She pointed out the evils of *purdah* and exhorted all her sisters to discard the veil and bring themselves into line with the women of advanced countries.

Mrs. Kamaladevi Chattopadhyaya, Organising Secretary of the Conference, in her annual report, outlined the work achieved during the year and expressed a hope that their movement would soon revolutionize the life of the society.

## Presidential Address

Then amidst cheers, Her Highness the Dowager Rani Lalita Kumari Saheba of Mandi rose to deliver the following presidential address :—

"My first duty is to convey my cordial thanks to the organisers of this Conference for the honour they have done me in inviting me to preside over the deliberations of this session. Conscious of my numerous limitations, it is with considerable hesitation that I enter upon the serious responsibilities of this office, adorned in the past by such distinguished leaders of India's womanhood as Her Highness the Maharani Gaekwar of Baroda and Her Highness the Begum Saheba of Bhopal. I cannot hope to equal them in their great abilities and splendid record of service for the cause of India's women ; I can only claim that my enthusiasm for the advancement of our sisters is perhaps not less keen and it is the desire to have some humble share in this great work that has given me the courage to appear before this large assembly to-day.

"Meeting in the city of Patna, it is impossible not to feel inspired by the memories of ancient Pataliputra associated with the great traditions of Ashoka and Chandragupta who reigned at this capital and under whose benign sway, India saw some of the most glorious days of her history. India's daughters were not 'cabin'd, cribb'd, confin'd in those spacious days of the past, but they marched onward hand in hand with men, in the spirit of true comradeship and were known to have distinguished themselves in many spheres of national activity. They were not immured in the *zenana* ; they were not burdened with the cares of family life even when they had not passed childhood ; there were no limits set to their intellectual ambitions and enjoyed a measure of social freedom which is in refreshing contrast to the fates of their descendants to-day. Meeting at such a sacred site, it would be eminently fitting for us to make a solemn determination to endeavour to revive those conditions and even work up to a greater future by organising our efforts recorded in annual conferences of this kind.

"It is a feeling of intense depression that comes over any one who has occasion to examine the present extent of the illiteracy of women in India, the wiping off of which is one of the important aims of our organisation. Nothing can be a matter of sadder reflection to us than the fact that, according to the latest official statistics only about twenty-one out of every thousand women in India are literate, while in the advanced civilised countries of to-day, not only in Western lands, but also in Japan, practically every woman is literate. The figures receive even more poignant interest when we realise that the test of literacy applied by the census is of very

rudimentary kind—indeed, being mere capacity to write a letter and read one written by others. The needs of intelligent life in any sphere of national activity cannot, of course, be met by satisfying this elementary test of education, though it seems too early to complain about standards when the bulk of women are immersed in ignorance and darkness unable even to spell the alphabet.

"If the actual achievement regarding literacy is so depressing even the figures relating to the efforts for its further spread are not more encouraging. According to the report on Indian Education for 1925-26, issued by the Government of India, the percentage of girls under instruction to the total population of women in the country is only 1.3. Fifteen per cent of the total population is usually considered to belong to the school-going age, which means that out of every fifteen girls who ought to be at school in India, only about one has been brought within the four walls of an elementary school of some kind or other. The percentage of girls at school has increased very slowly indeed. It was 0.9 in 1916 and after ten years it has increased only to 1.3! No elaborate mathematical calculation is necessary to find out how many decades it will take at this rate of progress, of .4 per cent in ten years to cover the entire school-going population and bring it within the benefits of literacy.

"The immensity of the problem before us will be realised even more vividly, when we find that the completion of the programme for bringing the entire population of school-going age within our schools does not solve the problem of the illiteracy of India's women. Another generation will have to pass after all these decades, before every woman in India can read and write, an achievement which must not be considered Utopian at all, in view of what has actually been accomplished in many of the advanced countries of to-day. Here is work enough for us, to occupy all our attention and energies for the future, as far as our imagination could stretch, and let us resolve to-day to apply ourselves to this mighty task, in a spirit of the deepest devotion which we can command.

"It is time that something drastic was done to remedy this state of affairs and our reports regarding the education of girls come out with figures of striking progress and not with mere explanations for the absence of adequate achievement. The recent report of the Royal Commission on Agriculture in India lays its finger on this great weakness of our national life and pleads powerfully for its eradication, before any progress can be achieved. The members recommend compulsion in elementary education as the only remedy, but what is even of greater interest to us, they urge special attention to the education of women because, as they observe rightly: 'The value to the community of the education of its women lies particularly in its effect upon the spread of lasting literacy among the young.' They make the interesting suggestion that steps should be taken fully to record the educational history and subsequent development of children of typical cultivating families in which the mother is literate, while like particulars of illiterate homes in the same neighbourhood and conditions of life should be tabulated for the purpose of comparison with their more fortunate neighbours. The result of such an enquiry is likely to prove very useful, according to the members of the Commission, for the purposes of propaganda, because it will show a markedly strong tendency on the part of the literate parent both to send the children to the school and to keep them there till literacy, which the mother has come to value, has been fairly achieved. It is therefore recommended that a definite effort should be made to impart literacy to a certain number of young mothers selected where conditions are most suitable and where similar experiments have not been tried before. It is hoped that when action is taken on this monumental report by the Government of India and the provincial Governments, this important aspect of its recommendations will not be forgotten.

"The inertia of conservatism and prejudice, reinforced by the purdah system and the custom of early marriage, the lack of qualified teachers, the difficulty of making arrangements which will be considered satisfactory by the parents for the transit of girls to and from schools, accommodation for women teachers in the smaller villages,—such is the comprehensive list of the formidable obstacles in the way of the progress of women's education in the country, according to the members of the Commission. They however continue to observe: 'There are



indications that a change in the general attitude towards female education has set in. A valuable stimulus is coming from women themselves. Though it will probably be long before this is powerful enough to make itself felt throughout the country as a whole, it is impossible to read the proceedings of the All-India Women's Conferences on education reform without realising the greatness of the possibilities in this direction. Let us justify the hopes which have been raised in the minds of the public by this new organisation and live up to the high expectations entertained of us.

"Valuable suggestions have been made from time to time, at our Conferences for the improvement of the kind of education imparted to our girls. It may at first sight seem somewhat unnecessary to trouble ourselves with details regarding educational reform, when even the rudiments of literacy have not been achieved. But it is obviously necessary that educational progress should be on sound lines from the very beginning, even as right foundations are necessary for every good and stable structure. It is doubtful, for instance, if there has been as yet any adequate realisation in this country of the right pedagogic principles underlying the education of children, particularly of girls whose delicate susceptibilities require even more careful attention than those of boys.

"These principles are beautifully summed up in a passage in the *Crime of Sylvestre Bonnard* by the famous European novelist, Anatole France : 'It is only by amusing oneself that one can learn, he writes. 'The whole art of teaching is only the art of awakening the natural curiosity of young minds for the purpose of satisfying it afterwards ; and curiosity itself can be vivid and wholesome only in proportion as the mind is contented and happy. Those acquirements crammed by force into the minds of children simply clog and stifle intelligence. In order that knowledge be properly digested, it must have been swallowed with a good appetite. I know Jeanne ! If that child were entrusted to my care, I should make of her—not a learned woman, for I would look to her future happiness only—but a child full of bright intelligence and full of life, in whom everything beautiful in art or nature would awaken some gentle responsive thrill. I would teach her to live in sympathy with all that is beautiful—comely landscapes, the ideal scenes of poetry and history, the emotional charm of noble music. I would make lovable to her everything, I would wish her to love. Even her needlework I would make pleasurable to her, by a proper choice of the fabrics, the style of embroideries, the designs of lace. I would give her a beautiful dog, and a pony to teach her how to manage animals ; I would give her birds to take care of, so that she could learn the value of even a drop of water and a crumb of bread. And in order that she should have a still higher pleasure, I would train her to find delight in exercising charity. And inasmuch as none of us may escape pain, I should teach her that Christian wisdom which elevates us above all suffering, and gives a beauty even to grief itself. That is my idea of the right way to educate a young girl.' These words of wisdom, one may observe in passing are only an echo of what was preached by Rousseau and in more recent years by Ruskin. Without entering into any detailed criticism of our present educational system, let me content myself with the question : 'to what extent, are these ideals satisfied in the girls' schools of India to-day ?'

"It must be a matter of satisfaction to all of us that something has been made within the last two or three years, by a few of the universities and other educational authorities in India in diversifying their syllabuses and courses, so as to make provision for what may be considered to be the special needs of women who usually look forward to the privilege of marriage and motherhood and to the duties of beautifying homes over which they will have the honour of presiding. The recent introduction of domestic science, painting and music into educational courses among the optional subjects which girls may take up at college is a step in the right direction.

"But let us not be unmindful of the fact that much diversification is not possible and even desirable in the higher stages of instruction. The highest culture and enlightenment should be the birth-right of women—as well as of men and let us not be satisfied with the mid-Victorian ideal enunciated by Tennyson in his *In Memoriam*.

'She knows but matters of the house,

'And he, he knows a thousand things'

"Women benefit by the highest education as much as men and it is a narrow

view indeed which seeks to fit woman only for the needs of motherhood and domestic life, though it is not argued on parallel lines that man's education should be ordered so as to make him primarily a good father and a good husband. The Rt. hon. V. S. Srinivasa Sastri, speaking some time back, refuted this narrow conception of women's education, when he said that he viewed with increasing satisfaction the desire of young women to obtain university distinction to learn science or mathematics, or to stand the same test as their brothers and cousins of the other sex stood, or wanted to stand. He for one had no sort of misgiving as to the direction in which women's education was moving in India and he viewed it with complete confidence. He warned his hearers not to think that it would be enough to give their young women a little of education, little of music. On the other hand, man and woman, he said, had to advance together, not only in the direction of family life but in all directions in which human endeavour has to be made for the further progress of our race.

"As has been recognised on all hands the question of the educational progress of the women of India is bound up intimately with the improvement of our social conditions. The best of our educational programmes must come to naught and all of our resolutions at conferences must be futile, if women cannot come out of the purdah and have the benefits of even God's light and air; if little girls continue to be hustled into marriage even before they have reached their teens and laid the foundations of the most rudimentary education and women are to be handicapped as at present by disabilities of various kinds preventing them from reaching the full heights of knowledge and experience of which they are capable. It must, therefore, be the endeavour of these conferences to remove this social obstacles also at least in so far as they stand in the way of the spread of education.

"It is time that the justice of the equality of opportunities for both sexes was enunciated in no uncertain language and its recognition enforced in all directions in this country. This great principle was acknowledged in no indefinite terms by our great ancestors and I may refer to an episode in the history of Buddhism which happened in this very neighbourhood, at Vaisali beyond the Ganges, in the very life-time of the great Buddha himself. When the Lord Buddha was sojourning at Vaisali, in the fifth year after his enlightenment, a lady, Mahaprajapati by name, wanted to enter the monastic order, but had been refused admission on the ground of her being a woman though nobody questioned her fitness on any other ground. She, however, insisted on her being admitted to privilege and when she arrived at the gates of the Pinnacled Hall (the Kutagerasaly) where the Lord was staying, having cut off her hair, put on the yellow robe, with swollen feet and covered with dust and followed by another Sakya woman who had shared the toils of the long journey with her, the disciple Ananda could not bear to see her weeping and pleaded her cause to the Master. Ananda asked if a woman who had gone forth from the house to a houseless life in the doctrine and discipline declared by the teacher, was capable of realising the *arhatsip*. A woman is capable, Ananda, said the Lord and on being informed of Mahaprajapati's appeal he said that if she was willing to take upon herself the eight Strict Rules of the Order, 'let this be her ordination.' And thus at Vaisali there began the declaration by Buddhadeva of equality between man and woman in their fitness for the highest spiritual life. I am only asking for the application of the same principle to every aspect of our daily life.

"A recognition of this fundamental equality, the removal of our numerous social disabilities, and, above all, unremitting attention on our part to the cause of our educational advancement, these should lead to a new era of development in our history without which our beloved Motherland can never hope to take her rightful place among the civilized nations of the world. Let me conclude with the hope that this Conference may mark at least a single milestone along that long road of effort and achievement and let me also repeat, on behalf of all the women of India whose representatives are assembled here this morning, the ancient Indian prayer from the Upanishads,

'Asato ma sadgamaya,  
 'Thamaso na jyotirgamaya,  
 'Mrityorma amritam gamaya.  
 'Lead me from Error into Truth,  
 'From Darkness into Light.  
 'And from Death into Immortality'

## Resolutions

The Conference reassembled on the next day, the *4th January*; and adopted resolutions put from the chair expressing regret at the death of Lala Lajpat Rai and Mr. S. R. Das and placing on record the services of the former to the country and the women's cause.

A resolution moved by Mr. Engler (Hyderabad) for making provision for Kindergarten, Montessori and other similar classes in every institution for young children was strongly supported and passed.

Another resolution moved by Miss Engineer (Bombay) for the establishment of industrial homes for women provided some interesting discussion. The mover observed that the unemployment question was becoming very acute and that if they started industrial homes where industries suited to local requirements could be taught they would be conferring a great boon on the poor women by helping them to become self-supporting without losing their sense of self-respect. By making them self-supporting and independent they would also indirectly help them from going astray and keep them away from other social evils. She referred to the useful work which the Bombay Seva Sadan was doing in the direction.

Mrs. Miles Irvin (Punjab) moved an amendment that provincial Governments be asked to give sufficient grants to run such institutions in an effective manner.

The resolution, as amended, was carried.

Another amended resolution was adopted for providing mid-day meals to pupils in schools in the poorer districts.

The Conference passed two other resolutions calling upon the Government to withdraw the grant from any educational institution which refused to receive pupils of any particular community and condemning the custom of allowing immature girls to become wives and mothers as it robbed them of their right of education and freedom and arrested their mental, moral and physical growth and demanded that the legal marriage age be fixed at 15 for girls and 21 for boys, and supported Mr. Sarda's Bill and asked the Assembly to bring it in line with the demand of the conference.

## SOCIAL REFORM AND WOMEN'S EDUCATION

On the *5th JANUARY* a very animated discussion centred round the resolution for widening the scope of its activities and including social matters also in its programme of work. Divergent views were expressed and the discussion took an excited turn.

Mrs. Kamaladevi Chattopadhyaya formally moved a resolution that in consideration of the widespread interest in the women of India and all questions affecting their welfare the conference should widen its scope without changing its policy and tackle all such matters.

Mrs. Faridunji moved an amendment suggesting a division of social and educational questions between two sectional committees, working under the guidance of a parent standing committee. She made it clear that she was absolutely opposed to any change in the original constitution of the conference. But educational and social questions so much overlapped that there was a great need for tackling properly such all-India questions. For educational work they should not be content with only passing resolutions, but practical work was needed. To carry on proper educational work both sections should work side by side for educational and social reforms.

Mrs. Engler, supporting the amendment, said that two sets of problems were exercising their minds, social and educational. Without certain social changes it was impossible to educate the girls. If they were to forward the cause they had

at heart they must concentrate on all problems. If they worked on this basis they would be able to attain a fuller and richer life and the progress would be faster.

Mrs. Brijlal Nehru pointed out that social problems were of paramount importance and both educational and social sections would work together and bring about the emancipation of their sex.

A group of delegates led by Miss Laxmikutti Amma and Mrs Saraladevi Chaudhuri strongly opposed the resolution and moved another amendment suggesting that the conference should restrict its activities only to educational matters. They held the view that the conference by adopting the resolution would be striking at the root of its ideal of education which could alone remove all social evils.

Mrs. Pillay, (Hyderabad), opposing the resolution, moved another amendment suggesting that all constituent committees be consulted on the matter before a change was effected, as widening the scope of the conference meant a change of policy.

Mrs. Maya Das (Cawnpore) made an impressive speech. She pointed out that social reform could not be separated from education. The purpose of education was to make them good citizens and remove all social evils.

There was a great confusion and uproar when the amendments were put to the vote. It took some time to restore order and count votes. Mrs. Faridunji's amendment after being accepted by the mover of the original resolution was carried by a large majority and other amendments were defeated.

The conference adopted two other resolutions for opening centres for special courses to train teachers for rural areas and promoting better understanding and co-operation between parents and teachers.

#### CONSTITUTION AND PROGRAMME

The All-India Women's Conference on Educational Reform concluded its session on the 7th JANUARY. The conference discussed the important question of constitution and declared that the policy of the conference would be not to engage in party politics but unite on all points affecting the women and children and that its object was to promote the education in India of both sexes and to deal with questions concerning women and children.

The conference accepted the invitation of Miss Bahadurji for holding the next session of the conference at Bombay. The future programme of the conference would now be divided into two sections—educational and social reform—and chalked out by the standing committee. Mrs. Kamaladevi Chattopadhyaya was reelected organizing secretary. Her Highness the Rani of Mandi (president) announced a donation of Rs. 1,000 to the conference funds.

The conference adopted two important resolutions. One regretted that while the other provinces enjoyed women's franchise Bihar had as yet denied the elementary right of citizenship to its women and urged the members of the Legislative Council to remove the sex disqualification forthwith. The other resolution realizing the extreme necessity of making provision for the mental and moral well-being of women industrial workers, appealed to the Government to appoint a committee, including women, to enquire into the sanitary, hygienic and economic conditions under which women worked and laid strong emphasis on the prohibition of female labour underground in the mines.

This finished the proceedings after which the Conference terminated.

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# The Indian Science Congress

The sixteenth session of the Indian Science Congress was held at the Government House, Madras on the 2nd JANUARY 1929. H. E. the Governor opened the Congress. Professor C. V. Raman, President, delivered his address extempore. His speech lasted for an hour and was listened to with rapt attention. The following is the text of his speech :—

Your Excellency, Ladies and Gentlemen,—It is the privilege of a physicist to concern himself with what may be regarded as the fundamental entities of the material universe we live in. His theories and experiments are directed towards obtaining a clearer understanding of the nature of those entities and of their relationships with each other. His results, if expressed in plain language, should be intelligible not only to those who profess other branches of science, but to all who take an interest in the varied phenomena of Nature. The work of the physicist has the closest possible bearing on the interpretation of facts observed in other fields of scientific knowledge. No apology is therefore needed for my decision to devote this address to an exposition of the nature and significance of a new phenomenon recently discovered in my laboratory at Calcutta which has a bearing on the fundamental problems of physics and chemistry.

## QUANTUM THEORY OF RADIATION

Every one of us is or should be interested in the nature of the phenomenon which we call *light* and which is a species of the genus *radiation*. Light is emitted by matter under suitable conditions of excitation. We heat an atom or excite it by electric discharge. It becomes luminous and gives off radiation. What is radiation? On this point, the physicists of the nineteenth century had come to the very definite conclusion, based on evidence which it seemed impossible could ever be shaken, that light is a kind of wave-motion travelling through space, and of the same physical nature as the electro-magnetic waves discovered by Hertz and now so familiar to all as the waves of wireless telegraphy and telephony. Remarkably enough, however, the present century has witnessed a re-opening of the question. I will not pause here to trace in detail the history of the development of what is known to-day as the quantum theory of radiation. It is associated with the names of three great living physicists, namely, Planck, Einstein, and Niels Bohr. It will suffice for my purpose to indicate the very definite and intelligible form it received in Bohr's well-known theory of spectra. According to Bohr, the emission of light from an atom is not a single process but takes place in two distinct stages. The first stage is the energizing of the atom, in other words, its passing over a normal or other non-luminous condition into a new state of higher energy content. The second stage is the return of the atom to a condition of lower energy accompanied by the emission of light. Bohr found it necessary, in order to interpret the facts of spectroscopy, to assume that the different states of the atom are sharply differentiated from each other in their energy content. The atom therefore takes up energy or gives up energy as the case may be, in passing from one state to another, in discrete bundles or quanta. Radiation is thus absorbed or emitted by the atom in discrete bundles of energy. It follows naturally that while travelling through space, light also remains as discrete bundles or quanta of radiation. A distinctly unitary character is thus indicated for radiation.

## THE COMPTON EFFECT

Further powerful support for a corpuscular idea of radiation came to hand a few years ago when Prof. A. H. Compton, now of Chicago University, discovered a remarkable phenomenon which is now known by his name as the Compton Effect and for which he received the Nobel Prize in Physics a year ago. Briefly, what he found was this : When X-rays fall upon matter and the scattered rays are analysed by an X-ray spectroscopic, the lines in the X-ray spectrum are found to be doubled. Prof. Compton gave a very simple and remarkable explanation of this fact. He regarded the incident X-rays as consisting of corpuscles which moved with the velo-

city of light and on hitting an electron in the scattering material dislodged it and were themselves deviated from their straight path. It is obvious that in such a process the deviated corpuscle would lose part of its energy, this being taken up by the recoiling electron. Prof. Compton's explanation of his effort is supported by the fact that the recoil of the electron is actually observed in experiment. A change in energy of the quantum is equivalent to a change in the frequency of scattered radiation, which therefore appears in the X-ray spectrum as a line in a shifted position. Measurements of the change of wave-length and of the velocity of recoil-electron appeared strongly to support Prof. Compton's theory, and the latter has therefore gained general acceptance.

#### THE TWO THEORIES EXAMINED.

We appear thus to have reached the astonishing position that two distinct theories of light both claim our acceptance. In other words, light consists of waves expanding spherically outwards from a luminous atom into ever-increasing volumes of space, and it also consists of corpuscle shot off in some one specific direction from the luminous atom and therefore moving along a straight line to infinity. I have often seen it suggested that there might be no real conflict between these two widely different points of view, if we regard the light corpuscle statistically. In other words if we had a sufficiently large number of atoms giving out corpuscles, the two pictures of radiation may be statistically equivalent. So indeed they would be, if a corpuscle emitted from one atom and a corpuscle emitted from another could be regarded as equivalent. But such a conception would be totally repugnant to wave-principles. For when we consider a luminous gas, the waves emitted by the different atoms in it would not be equivalent unless all the atoms were at the same place and emitting light-waves in identical phase. It is obviously difficult to accept the latter proposition, and in fact we may be fairly certain that it is untrue. The particular suggestion here made for securing a statistical equivalence of the wave and quantum theories of radiation seems therefore untenable. My own feeling is that it is impossible to accept the wave and quantum theories of radiation as simultaneously true if Compton's idea of a localised quantum is a correct and universal description of the process of radiation from atoms. In order to explain the familiar facts of optical interference and diffraction, we are compelled to assume that the light emitted by a luminous atom spreads out spherically with identical velocity and phase in all directions. Theoretically it is possible to analyse a spherical wave into a set of plane directed waves passing simultaneously through the centre of the sphere in all directions, provided they are all in identical phases at the centre. We may of course, regard a plane wave as equivalent to a directed quantum in the sense of Compton, but as a single atom can only radiate one quantum at a time, it is impossible to explain interference if we assume the emission to consist generally of directed quanta. In Compton's own experiment, we are dealing with the secondary radiation from an atom illuminated by X-rays of wave-length much shorter than the diameter of the atom. This is a very different problem from that of an atom radiating spontaneously in all directions. In a paper appearing in Indian Journal of Physics, I have discussed the case of Compton from what I believe to be rather a novel point of view, and shown that so far from the Compton Effect being opposed to the classical wave principles, the latter actually indicate the existence of such an effect, and quantitatively predict its observed characters. On the view developed in my paper, Compton's experiment is not a disproof of the spreading wave-theory. We do not regard the beam of radiation thrown out in a straight line by a light house and travelling for miles without appreciable spreading, as a contradiction of wave-principles, but explain it as an effect produced by the lense and mirrors of the light-house. In an analogous way I utilise the relation between the wave-length of the radiation and the size of the atom to explain Compton's results. The investigation shows that the classical and quantum theories of radiation are indeed statistically equivalent, but this equivalence is secured by the properties of the atom, and not by filling space with localised quanta. I will go so far as to say that in my view, it is entirely futile to regard the light-quantum as a particle having any specifiable shape, size or position.

The theoretical paper on the Compton Effect was worked out during a holiday at Wairar in October, 1927. Apart from any little intellectual satisfaction which its

writing may have given me, its chief interest is that it prepared the ground for the experimental work of the following months which I shall now mention.

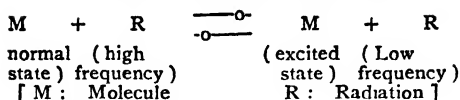
Eight years ago, we commenced at Calcutta a series of experimental studies on the scattering of light in transparent media of all kinds. These studies were largely inspired by a desire to understand and explain fully such natural optical phenomena as the light of the sky, the dark blue colour of the deep sea and the delicate opalescence of ice in glaciers. It soon became evident that the laboratory studies intended in the first place to reproduce these natural phenomena on a small scale would carry us some way towards a solution of such fundamental problems of physics as the constitution and structure of molecules, their number, arrangement and thermal movement in gaseous, liquid and solid media, and the nature of radiation itself. I will not fatigue you by reciting the numerous experimental and theoretical researches carried out by us on these subjects. Associated with me during these eight years were a great many young physicists from all parts of India who received their research training in my laboratory. Amongst them I would specially mention the names of Dr. K. R. Ramanathan and of Mr. K. S. Krishnan, both by reason of their conspicuous originality in research and in view of the importance of their personal contributions to the development of the subject now under discussion. To them, and to my numerous other collaborators from Bengal and Madras and Northern India, I owe a debt of gratitude.

#### A NEW PHENOMENON

At a very early stage in our investigations, we came across a new and entirely unexpected phenomenon. As early as 1923, it was noticed when sunlight filtered through a violet glass passed through certain liquids and solids, e.g., water or ice, the scattered rays emerging from the track of the incident beam though the substance contained certain rays not present in the incident beam. The observations were made with colour filters. A green glass was used which cut off all light if placed between violet filter and the substance. On transferring the glass to a place between the substance and the observer's eye, the track continued to be visible though feebly. This is a clear proof of a real transformation of light from a violet into a green ray. The most careful chemical purification of the substance failed to eliminate the phenomenon. Subsequent investigations showed the same effect in a considerable number of liquids and solids, and we even attempted a spectroscopic investigation of it.

Though, from time to time, we returned to the study of this new phenomenon and published accounts of it, its real significance as a twin brother to the Compton Effect first became clear to me at the end of 1927 when I was pre-occupied with the theory of the subject. I regarded the ejection of the electron in the Compton Effect as essentially a fluctuation of the atom of the same kind as would be induced by heating the atom to a sufficiently high temperature and the so-called directed quantum of Compton as merely an unsymmetrical emission of radiation from the atom which occurs at the same time as the fluctuation in its electrical state. The conception of fluctuations is a very familiar one in optical and kinetic theory and in fact all our experimental results in the field of light-scattering had been interpreted with its aid. There was, therefore, every reason to expect that radiations of altered wave-length corresponding to fluctuations in the state of the scattering molecules should be observed also in the case of ordinary light.

The idea was energetically taken up and the experiments showed it to be completely correct. It became clear that we had here a new radiation effect far more general and universal in its character than the Compton Effect, and of which the latter could be regarded as a special case. The ejection of an electron is a very violent type of fluctuation. There are numerous other comparatively mild types of fluctuation possible in the electrical state of atoms and molecules. Such fluctuations correspond to relatively small changes in the energy-level of the atomic system in the sense of Bohr. If a change of energy-level is produced by the incident radiation and is simultaneous with it, the quantum of radiation emitted under these conditions may be than the quantum of incident radiation. We may represent this change as a chemical reversible reaction.



If the reaction proceeds in the direction of the upper arrow we have a diminution in frequency of radiation and if in the direction of the lower arrow we have an increase of frequency. The relative importance of the two types of reaction would obviously be determined by the law of mass action that is to say, upon the populations of the normal and excited states of the molecules present in the irradiated substance. In ordinary cases, the presence of excited states is determined by temperature. Other causes of excitation of molecules if present must also be taken into account.

Since atomic and molecular systems have many possible energy-level as shown by the facts of spectroscopy, we see in the foregoing chemical equation the possibility of observing a great many new lines in the spectrum of the scattered radiation.

#### METHOD OF STUDYING THE EFFECT.

The most convenient way of studying the effect is by using the intense monochromatic radiation of the mercury arc and to condense its light into the substance, or better, actually to bring the arc into close proximity with the substance as in the wellknown work of R. W. Wood on resonance spectra. The spectrum of the scattered radiation is then readily photographed and shows a multitude of new lines, bands and in addition continuous radiation. The relation between the frequencies of the incident and scattered radiations will be readily noticed from the equation written above symbolically. The difference between the incident and scattered quanta is equal to the quantum of absorption or emission, as the case may be, of the molecules. The characteristic frequency of the molecule is, therefore, of the incident radiation to give that of the scattered light.

In one sense, this combination of the incident frequency with the frequency of the molecule is an analogue of the classical phenomena of Tartini's Tones which we are familiar with in acoustical theory, and which are explained in terms of the forced vibrations of a non-harmonic oscillator. This analogy may no doubt be used to find the intensity of the modified radiations approximately, by applying the correspondence principle to a non-harmonic molecular model of suitable type. The difference between this classical analogue and the actually observed optical effect is in the extraordinary disproportion between the intensity of the lines corresponding to the differential and summational tones respectively, which is far greater than in the acoustical analogies.

An extremely interesting and fundamental point regarding the new type of secondary radiation is that in general, it is strongly polarised. In this respect, the phenomenon is analogous to the experimentally known polarisation of the Compton type of X ray scattering. We notice, however, that the different lines corresponding to different molecular frequencies are polarised to very different extents. It may be presumed that this is due to the molecular oscillators involved not possessing spherical symmetry. Whether this explanation is sufficient or not remains to be tested by computation and comparison with observation.

We may here pause a little to consider more closely the real significance of our phenomenon. Some, no doubt, will claim to see in it a further confirmation of the quantum theory of radiation. My own view, however, is that there is nothing in the effect that in any way contradicts the wave principles, and that on the other hand the fact that we can cut up or add to the quantum of energy to any arbitrary extent is unfavourable to the idea of a real, corporeal existence for it. We may of course, get over this difficulty by assuming that the incident quantum in some way disappears on collision with the molecule and that a new quantum of smaller or larger energy arises from the combination. But the observed fact of the strong polarisation of the lines is unfavourable to latter idea. As already indicated in the foregoing discussions, the concept of localised quanta is irreconcilable with the phenomena of wave-optics, and the necessity for introducing it is even less in the present case than in the Compton type of scattering.



## SOME APPLICATIONS OF THE NEW EFFECT

I shall now pass on to consider some applications of the new effect. Its potential value perhaps is greatest in the field of chemistry. The method of investigation affords us an extraordinarily easy and convenient process of mapping the infra-red spectra of chemical compounds. The geometry of the chemical molecule and the forces of chemical affinity determine the frequencies of molecular vibrations. In many cases, they lie in the far infra-red, a region of the spectrum which has hitherto been difficultly accessible to observation. The study of light scattering enables us as it were, to photograph the whole infra-red spectrum with the same facility and ease the visible and ultra-violet spectra. The determination of the fundamental vibration-frequencies of the chemical molecule, their relative importance as gauged by intensities of the lines, and even more, their peculiar polarisation characters promise to take us deep into the fundamental problems of chemistry. As an illustration, I will mention a recent paper by Daure in the *Comptes Rendus* of the French Academy. Daure investigated the spectra of the chlorides of Carbon, Silicon, Tetanium, Arsenic, Lead, Antimony and Bismuth by this method. The investigation revealed hitherto unknown spectra in the far infra-red for each of the compounds studied, exhibiting remarkable analogies and differences amongst each other in the position, intensity and polarisation of the lines.

In organic chemistry also the method opens up an illimitable field of research. Numerous lines appear whose positions in many cases are accurately measurable, and are influenced notably by changes in chemical constitution. A very surprising feature is the extreme sharpness of some of the lines. The frequencies of the vibration of the carbon—carbon bond in benzene can be determined, for example, with extraordinary precision unapproachable by other methods. It is precisely this accuracy of measurement and the rich and varied mass of data obtainable that indicate for this method a real future.

The study of the influence of changes of temperature and pressure, and of change of physical state on the intensity, positions and widths of the spectral lines promises to furnish information of value in the field of molecular physics. Already in our earliest observations it was noticed that the spectral lines obtained with ice are sharper and somewhat displaced in position relatively to the broad bands found with liquid water. The sharpness of the lines observed with transparent crystals appears to be a general feature. As an example I may mention the case of selenite in which Mr. Krishnan found that the water of crystallisation also gave well-defined lines instead of the bands observed with water.

Preliminary studies have shown that it is perfectly practicable to photograph the lines in the spectra of vapours. Hence it will be possible in many cases to investigate the changes in molecular spectra in the passage from vapour to liquid as well as those in the passage from liquid to solid. In the change from vapour to liquid, we have a partial destruction of the freedom of rotation of the molecules. Such observations as we have made seem to indicate that exchanges of energy between the incident quantum and the molecule can also occur with respect to the rotational states of the molecule. The optional anisotropy of the molecule appears to be involved in the possibility of such induced molecular rotation. Whether the removal of restriction on rotational freedom when the molecule passes from liquid to vapour results in a fuller development of such rotational spectra remains to be investigated.

At low temperatures, many liquids as is known refuse to crystallise, become highly viscous and ultimately are transformed into glasses. Glycerine is a typical example of such a liquid. Mr. Venkateswaran has observed in it a remarkable development of a continuous spectrum whose intensity falls with rise of temperature or by dilution with water. The precise origin of this phenomenon and the existence of similar effects at low temperature in the case of other viscous liquids remain to be studied. The problem of the amorphous solid condition is related to this. Alrudy Pringsheim has noted that fused quartz, unlike the crystalline substance, does not show any lines in the scattered spectrum. The explanation of this may be that the lines have become too broad and diffuse to be photographed.

This finished the presidential address after which the Congress adjourned.

## SECOND DAY—3RD JANUARY 1929

On this day the Congress divided itself into sections and the presidents of the different sectional meetings delivered their addresses. The first meeting was held in the Medical College when Mrs G. L. C. Howard, Institute of plant Industry, Indore presided over the section on agriculture and delivered her address on 'Improvement of Plants.'

In the course of her address she gave a general history of plant breeding in India, and of the recent improvements made both in theory and in practice, in the field. She also gave a short survey of some of the changes in the theory of genetics which had influenced economic plant-breeding. Discussing the present position of plant-breeding in India, the lecturer pointed out that though modern plant-breeding had accomplished much they were still a long way from the perfect variety in any crop and the way of improvement was long and arduous and not a simple matter as was formerly anticipated. The lecturer then referred to recent investigations concerning the inheritance of acquired characters and the origin and nature of mutations. In conclusion she observed :—

Exigencies of time prevent me from dealing with more of these most interesting investigations but it will be obvious that genetics is entering a new phase in which the effect of environment on inheritance is the main theme. A most interesting field for research is open to investigators. Up to the present, India has taken little or no part in the investigations on which modern theories of heredity are founded and possesses no institution where such fundamental work can be carried out. The time has come when this lacuna should be filled. In the improvement of plants India stands second to none. There is no country in which greater economic results in plant breeding have been obtained nor one which is better equipped with experiment stations for such investigations. The success of this part of the subject has, however, obscured the fact that little or none of the fundamental work on the theory of heredity has been carried out in India. No university has as yet a chair or even a readership in Genetics. For the theoretical conceptions underlying the practical aspects of the subject we have to depend on the work of Europe and America. As the years pass, it will be increasingly difficult to maintain the economic work at its present level unless it is established by a school of pure research in the country itself. Such fundamental research cannot be carried out by the Agricultural Departments or in any Institute devoted to economic aims. The investigator in pure genetics must be untrammelled by the necessity of producing economic results and must not be limited to working only with cultivated plants. Twenty years ago vegetable physiology was an almost untouched subject in India. At the present time this aspect of Botany is fully and worthily represented. We now require a living school of genetics from which economic workers and students can draw inspiration. Heredity is one of the great forces which moulds the human race. No more worthy object of endowment can be conceived than the establishment of a Chair of Genetics at one of the Universities. I hope that before the Congress meets again at Madras some wealthy corporation or public-spirited donor will have it made possible for us to have a Professor of Genetics among our members.

The address was followed by informal discussion on "The position of Genetics in India in general and at the Indian Science Congress in particular." Some interesting suggestions were thrown out in the course of the discussion and the following resolutions were passed :

- (1) That a special day be set apart at the Indian Science Congress for discussion on papers on Genetics.
- (2) That this Conference recommends that a readership or chair in pure Genetics be founded at some University and the members of this Conference agree to further this idea by means of lectures, articles in the Press and by any other means in their power.

### Psychology Section

The Psychology section was presided over by Professor M. V. Gopalaswami, Professor of Psychology, Maharaja's College, Mysore. In his presidential address

on "The Psycho-Galvanic reflex and its application to crime detection" he dwelt at length on his experiments regarding the Psycho-galvanic reflex as an indicator of consciousness of guilt. Although, as yet, on the theoretical side the position of the Psycho-galvanic reflex was far from satisfactory, it has been put to a large number of practical applications in the fields of Education, Medicine, Aesthetics, Criminology, etc. Chief amongst its clinical applications, might be mentioned its value as a "Complex" indicator, and its help in discriminating between hysterical and organic anaesthesias, and analgesias. In the study of aesthetic experience (such as is involved in the enjoyment of a musical selection, a picture, a poem, or a humorous situation) the Psycho-galvanic reflex afforded a new and fruitful avenue of approach. Mr. Gopalaswami then gave a description of the procedure adopted by him in conducting a test and the results he had formulated from such a test. He said that the results reported were merely suggestive and not well established and that his aim in publishing them prematurely was to show the possibilities of the science and to attract new votaries to this line of research which was fraught with immediate benefit to society. The setting up of a whole-time agency for the pursuit of this problem seemed a most urgent one; for its solution would render invaluable help to the police and the law courts. The Psycho-galvanic test afforded a new and the only way of approach where other evidence was lacking. He hoped that the Government of India would be able before long to do something in this direction. Private initiative and philanthropy, he had no doubt, would also go a long way in giving the necessary impetus to governmental action. In concluding, the lecturer referred to the opinion of Sir J. C. Bose who said the Indians were a pre-eminently introspective people. Was it not surprising, he asked, that in the face of this excellent certificate they should be doing so little for psychology? Let them hope that the Indian Universities would recognise that the proper study of mankind is man, and in the near future accord to psychology a proper place not in their curricula of studies but also in their budgets more in keeping with its modern developments, needs, and affinities.

### Mathematics and Physics Section

The following are extracts from the presidential address of Mr. S. N. Bose, Dacca, delivered to the Mathematics and Physics Section :—

The ultimate aim of scientific inquiry is to arrive at a minimum number of hypotheses which will explain the maximum number of facts. The hypotheses should obviously not contradict one another. At the present moment, however, we see two contradictory theories in the domain of Physics. On the one hand we have the classical theory based on the dynamical laws of Newton. On the other hand we have the Quantum theory, first introduced by Planck, which has been differently formulated by different scientists: while the classical theory explains satisfactorily all problems relating to motion and interaction of big masses as well as the problem of propagation of radiation, the Quantum theory has succeeded with the help of a few principles in co-ordinating a large amount of experimental material accumulated in the various domains of spectroscopy, X-rays, etc. It has succeeded best in all problems dealing with the ultimate constitution of matter or in problems dealing with the interaction of matter with radiant energy. The task that faces the Physicists to-day is how best to harmonise the seeming discord of the two theories, which are at the present moment utilised to explain the physical phenomena.

Theoretical Physics may be said to have begun its career as a science with the formulation of the famous laws motion by Newton. Newton's original equations involved the use of the cartesian co-ordinate system, but very soon these equations were transformed into a form in which the arbitrary character of the co-ordinates was removed, and finally Hamilton and Jacobi introduced the characteristic function which reduced the problem of solving the equations of dynamics to the solution of a single partial differential equation.

The laws of dynamics were originally formulated to explain the motion of observable bodies. As the aim of Physics is to explain the observed physical phenomena in terms of the motion of the ultimate particles, a consistent application of the

dynamical methods has been responsible for the whole structure of classical Physics. The dynamical equations of Newton possess an invariant group of transformation, the Galilean Group, which expresses the equivalence of all inertial systems as frames of reference for the description of motion. The field equations of Maxwell however have a different invariant group, the Lorentzian group. The Lorentzian group of transformation can be represented by a rotation of axes in a four dimensional orthogonal space, which leaves the invariant distance unaltered.

Dealing with the quantum theory, the address says: "The conceptions of energy and momentum have been early deduced from the dynamical laws and have played very important roles in the subsequent development of science. The introduction of the concept of energy seems necessary for the applicability of the general dynamical laws, and we have seen how the field equations can be made compatible with the dynamical laws by interpreting a certain magnitude as the energy-density of other. As a necessary corollary to the equations, however, it follows that there will be a continuous interchange of energy between the ultimate particles composing matter and the surrounding radiation field. The principle of equipartition of energy which follows as a necessary consequence of the idea, leads us however to entirely wrong results when applied to the problem of equilibrium of radiation-field with matter. In order to explain the distribution of energy in the black body radiation spectrum, as well as to explain the problem of generation of radiation, we have been compelled to make certain assumptions regarding the constitution of the radiation field and about the equilibrium states of material particles, which directly contradict our classical ideas. This has led to the introduction of the Quantum theory in Physics.

One may hope that the final solution of problem may be found and the proper set of equations which will determine the radiation-less field may be determined with the help of the ideas of the generalised relative theory. If a unitary field theory which could explain gravitation and electro-magnetism could be found, one would hope to obtain thereby not only the solution of the quanta-problem, but perhaps also of a more fundamental problem, the relation of change with gravitational mass and explanation of the difference in mass of the proton and the electron

### THIRD DAY—1TH JANUARY 1929

The Congress resumed its sessions this morning with a general discussion on "Rural Education" in the Memorial Hall with Mrs. G. L. C. Howard, President, Agricultural Section, in the chair.

The President in her preliminary remarks observed that the primary object of this meeting was to afford an opportunity for the exchange of views between workers on agricultural education and their colleagues who were engaged in rural education. She believed that no one would question the importance of such a co-operation of agencies which deal with village life. But there were special reasons why the link between the agricultural and educational workers should be a very close one. In the first place they were both dealing with the same individual, the educational worker with the child, the agricultural worker with this very child when he becomes an adult. The educational authorities could help the agricultural worker by giving the child an education which would make him receptive to new ideas. The agricultural worker, on the other side, could help the other by impressing on the parents the advantages of education and in encouraging the children to keep up the literacy by providing simple leaflets and newspapers on agricultural subjects. The liaison between both classes of works should be such that the development of the individual village proceeded without break or interruption. That was one reason why a good understanding among them was so necessary.

There was another reason why co-operation should be furthered in every way. During the last few years a feeling had grown up that the agencies working in the villages were too disconnected and that the village had to listen to advice from too many sources. They had to deal with officers of the various departments. It had recently been suggested that there should be an agency to deal with village uplift and that the school-master of the village might act as a sort of local liaison officer

between those officers and the village. The officers could still visit the villages at present but the school-master would act as their local representative. A small grant might be made to him for this work. This would raise his pay. He would also in this way gain an influence with the parents and become a greater power in the village. These were only two of the directions in which mutual co-operation might be helpful. This co-operation cannot be brought about without mutual understanding and nothing was more conducive to a mutual understanding. As the Science Congress was pre-eminently intended as a meeting place for workers on diverse subjects there was sufficient justification for including the subject of rural education in this year's programme.

Mr. Harper from the Punjab Province spoke of the experiments made in the province to develop rural education and to bring about a regeneration of village schools. The school activities he said must be related to the life around it. The teachers ought to be trained in the new ideas of manliness and service and in the latest methods of instruction. The teacher should become a leader of the village.

#### PRIMARY RURAL EDUCATION

Mr. S. G. Daniel (Madras) in his paper on "Primary Rural Education in Madras" stated that the cultivators might be given a minimum standard of knowledge within three or four months if the present methods were altered and if rural education was kept distinct from town education. Seasonal, part-time and night schools were most suitable for villages. To those who could not attend the schools reading might be taught through lantern slides. After the six weeks' course, weekly and bi-weekly lectures with magic lantern slides might be given and thus the literacy could be kept up. The work might be done either by the village teachers or by social workers and also by students and scouts during the vacations.

A general discussion then ensued on the following points:

(1) The best method of providing sufficient schools and sufficient teachers of the required standard, taking into consideration the large number of small villages which exist. This would include the question of central and branch schools, of transporting the children some distance to a central school, of travelling teachers, seasonal schools, and so forth.

(2) The best methods of preventing the present waste of effort due to irregular attendance and of ensuring that the average child shall attend for four years, this being the minimum time necessary to attain literacy. Under this head could be included the question of compulsion by the Local Authority or by private bodies such as Co-operative Societies. The important point of securing the consent of the parents to forego the labour of the child by making the curriculum more attractive or by educating the parents themselves, (adult education) should be included.

(3) Additions to the curriculum beyond reading, writing and arithmetic with the hope of awakening general intelligence. The questions of nature study, agriculture and school gardens to be especially considered.

(4) The training of teachers suitable for village school and the possibility of improving the status of the teachers in the village without imposing impossible financial burdens on the authorities concerned.

(5) The best method of obtaining local financial support for the schools and the division of the cost between the locality and the State.]

#### ESTABLISHMENT OF SCHOOLS

Speaking on the question of providing schools Mr. J. M. Sen (Calcutta) said that in Bengal the greatest obstacles to the progress of primary education was the persistence of the one-teacher schools. Arrangements should be made for the opening of agricultural classes in every village. A mere introduction of free education would not benefit Bengal unless the boys were by some means, compelled to continue their studies for some years.

Mr. H. Champion (Madras) observed that the problem in Madras was more a question of building up a body of elementary school in every village than the establishment of central school.

## THE SCHOOL CURRICULUM.

Referring to the question of curriculum, Mr. Y. D. Wad (Indore) said that the aim of rural education should be to develop the reasoning powers and to promote literacy and thus enable the rural population to profit by modern progress. He suggested a four-year curriculum consisting of practical lessons in the R's, general agricultural practices, nature study, civics and elementary principles of sanitation. The training should be by means of indoor and outdoor work. Attendance at school should not interfere with the normal working hours of a village. Rural education should be separated from urban both as regards control and finance.

Mr. R. D. Anstead, Director of Agriculture Madras, stated that from every point of view, if they wanted to improve the village life, they must teach the children the ordinary rudiments of science and the school work should start from its natural surroundings. They must teach children to love nature and to build up their other knowledge from that nature study. There was great scope for such study in this country and he believed that any subject could be taught to the children starting from nature study.

## ADULT EDUCATION

Discussion then centred on "Adult education."

Mr. J. Jesudass (Martandam) in his paper stated that rural uplift largely depended upon removal of illiteracy and ignorance. He then spoke of the various means by which those could be removed; such as formation of night schools, delivering of occasional magic lantern lectures, holding of exhibitions, and social gatherings and the formation of co-operative societies where people could learn and be trained in group thinking. Educated men and women should also pay occasional visits to the villages to guide the efforts of the villages towards social and economic progress. A system of adult education, he concluded, must have a comprehensive programme aiming at the all-round development of the rural population.

## Botany Section

The following is a summary of the Presidential address delivered by Prof. K. C. Mehta, Ph. D., in the Botany section on "The annual recurrence of rusts on wheat in India":—

I have purposely selected this subject because during the last quarter of this century, there has been little work done on the factors of recurrence of these pests on wheat, as far as India is concerned; although this problem has been practically solved in many of the wheat growing countries in other parts of the world.

I propose giving you a brief account of recent work done on this problem outside India. I am also going to tell you how this problem stands in India to-day, in the light of my own work, the greater part of which has not yet been published.

There are as many as three different rusts found on wheat in India and the life-history of none of them is yet completely known.

Wheat-rust problem in India.—Of all the wheat growing countries in the world the cereal-rust problem is least understood in India.

Incidence of rusts and climatic conditions on the plains of India.—Howard and Howard suspected that uredospores of rust may lie in the soil in the resting condition and then infect the new crop.

I may quote at this stage that condition of weather on the plains in the latter half of October and November are favourable for a rapid growth of the rust mycelium and that the period of incubation is normal as actual experiments have shown.

Uredospores survive the summer at such hill stations where climatic conditions are favourable. Uredospores, (probably) the only source of infection, blown by wind from such localities may start infection on the new crop on the plains.

Wind-blown uredospores as source of infection.—At this stage I may refer to the observations made by Klebahu who has expressed the possibility of rust spores being blown by wind from other continents and such spores being responsible for fresh outbreaks of rusts in different parts of the world.

As already stated uredospores can live and do live on self-sown plants at places like Muktesar because of a comparatively cool summer.

A cold wave during November and December with frequent falls of snow

will prohibit rapid growth of the mycelium at places like Muktesar. A comparatively mild weather will lead to an earlier appearance. Consequently the dates of the first outbreak of rusts may not be the same in any two years.

Can the uredospores of any of the three rusts of wheat survive through summer on the plants of India?—Butler and Hayman have expressed that it is very unlikely for uredospores to retain their viability after exposure to temperatures above 100 degrees F. The maximum temperature in shade in the Indo-Gangetic plain being above 100 degrees F. for weeks and the soil being exposed to still higher temperatures it is doubtful if uredospores can live through that period.

Influence of weather on rust out-breaks :—Butler and Hayman observed that moist cloudy weather in January—March is very favourable for development of rust.

(1) Yellow rust—Viable uredospores of this rust have been found at Muktesar in September—October several times.

(2) Brown rust.—As has already been said in the earlier part of this paper, viable uredospores of this rust are also available in large quantity every year at Muktesar in September—October, so that the infection of the new crop at that locality is easy to explain.

(3) Black rust—The connection between the acedial stage on species of *berberis* found in the Himalayas and the black rust on wheat is still under investigation and it is premature to make any definite statements on this point.

Damage done by the three rusts put together to the wheat crop in India—Butler stated that “probably Rs. 40,000,000 is not above the annual loss to India” due to these pests.

Means of combating rusts on wheat in India.—The destruction of self-sown plants that occur after harvest on the fields along the hedges anywhere in the neighbourhood is likely to check the disease to a considerable extent.

\*Suspension of the cultivation of wheat for two or three years at places in the hills, where there is a possibility of the survival of uredospores and the destruction of self-sown plants will mostly eradicate the source of infection and will also protect the crop on the plains against indirect infection by brown and black rusts from their suspected alternate hosts if any. The yellow rust is likely to be the first to disappear by this treatment as it has no alternate host. So far the work has been more or less restricted to the United Provinces of Agra and Oudh which is an important wheat-growing area. Out-side U. P. parts of the Simla hills have often been visited.

The nature of the problem demands first hand information about other provinces also where wheat is cultivated. It is contemplated to extend the work gradually to other places in the Punjab, Central Provinces, Rajputana, Bihar and Orissa, Baluchistan and Kashmir.

For further knowledge on the life-histories of brown and black rusts, there is need for extensive experimental work in the hills.

I shall conclude by saying that several countries on the continent of Europe have solved their problem of cereal rusts. There is considerable work being done in Canada and the United States of America are spending huge sums of money over the eradication of barberry to save their cereal crops. It is discouraging to find that the Government of this country should be unable to subsidise work on this problem which has been in progress for over 5 years.

### Chemistry Section

The following are extracts from the Presidential address delivered by Prof. T. N. Mukherjee, D. Sc., in the Chemistry section of the physical and chemical points of view in the theoretical treatment of colloids :—

The manifold character of colloidal phenomena at times becomes the despair of those who attempt at a systematic presentation of the subject. But the great interest

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\*Note : What has been said about measures on control for wheat rusts applies to rusts on barley also. Study of rusts on Barley has been conducted simultaneously with those on wheat but for want of space the details of this work had to be left out and will be published as a separate note.

and novelty of the phenomena have induced increasing numbers of workers trained in the methods of physics and chemistry to take up this task. To-day a struggle for recognition as the basis of a systematic treatment is going on between two rival schools of thought which have respectively a physical and chemical bias.

(a) The colloidal particle as a molecule in the physical and in the chemical senses—A sol as a 'one phase' system:—The Brownian Movement of the particles in a sol leaves no doubt that they behave as a molecule in the sense of the kinetic theory gases. We meet with this question in the discussions as to whether a colloidal solution is to be considered as a 'one phase' or as a 'poly phase' system. If colloidal solutions in general are to be considered as 'one phase' system we should try to visualise the components of the phase. The mass is not a phase as defined by Gibbs and such systems require special treatment. Once they are separated by evaporation or freezing the particles in the separated mass do not diffuse spontaneously into the liquid.

A gel as a 'one phase' system.—This is, however, the case under certain conditions with a large number of colloids where the sol—gel transformation is reversible but shows certain special features.

The physical point of view essentially recognises the same variables but looks upon such a system as an agglomerate of particles and emphasises that a proper understanding of the properties of these systems would lie in the peculiarities of interfaces.

(b) Thermodynamic treatment of colloidal systems—A proper thermodynamic treatment of colloidal systems should therefore incorporate in it their special characteristics. We shall attempt to give an outline of such a treatment. We see that a colloidal system such as jelly or a sol may be considered from two alternative points of view (1) It is a 'homogeneous mass' consisting of components in thermodynamic equilibrium. (2) It is a heterogeneous mass, a 'disperse system.'

In their extreme forms, namely, ordinary molecular systems, or, coarse suspensions, or physical mixtures there is no difficulty in deciding which of these views is more suited for their treatment. But we meet with all stages of gradations between these two extremes and the problem before us is to outline the principles which will definitely characterise each point of view so as to prevent a confusion as to their implications. It will be seen from the above that the fundamental factors are the same in each case. Thus the difference is essentially one of the concepts used.

I therefore propose to present before you an analysis of these fundamental concepts. It would perhaps be not out of place to mention that the 'phase' rule as deduced by Gibbs applies only to equilibria between 'homogeneous masses' or 'phases'. Buchner treats at length the question whether colloids are a 'one phase' system, or a 'polyphase' system.

In chemical thermodynamics we have two mutually exclusive groups of heterogeneous equilibria: (1) systems where moderate variations of shape and size do not affect the state of equilibrium, (2) where they influence the equilibrium and come in as factors. On the other hand in colloidal systems (except those who merge into the usual molecular systems), a very important factor called above the 'texture' or the mutual relationship of the different bits of one or more phases with their phase boundaries, is of great importance.

To sum up the phase relationships in colloids can best be understood and defined if we remember that a 'component' or each species of chemical molecule has an invariable mass and if we try to visualise what are the components of the phase and how far the different possible forms of the structure of the mass under consideration are determined for a definite chemical composition, by variables other than the concentrations of the components, pressure and temperature.

(c) The surface, dissociation theory and theory of ion absorption—It is not the dissociation of neutral molecules on the surface, but the 'fixation' of ions on the surface which is most important in determining the electrical properties of colloids and the interactions between the surface and the ions in the solution.

The surface dissociation theory lays undue stress on the dissociation but overlooks the main factor of an excess of ions of one sign on the surface.

Another great objection to the surface dissociation theory is the difficulty of



accounting for the reversal in the charge of colloids by polyvalent ions of opposite charge at low concentrations

The interchange of hydrogen or hydroxyl ions between the solution and the interface likewise shows the defects of the surface dissociation theory.

(b) The electrical charge of colloidal particles—In the explanations suggested to account for electro-kinetic phenomena the same rivalry is noticeable between physical and chemical schools of thought.

## Geology Section

Mr. Cyril S. Fox, President of the Geological Section, in the course of his Presidential address on the geological aspects of the formation of coal, said —

There are so many interesting and important geological problems awaiting investigation in this country where workers are so few, that I am sure you feel we should miss no opportunity for meeting and discussing our observations and results

(1) Occurrences :—Coal, either in thick workable seams or as small lentils has been found in India in rocks ranging in geological age from the Cambrian to the Upper Pliocene. The richest workable coal-seams in India are of course those of the Lower Gondwana period in the coal fields of the Damuda Valley and other areas in the Peninsula. In Assam the coal measures are of Tertiary (Miocene Oligocene) age. Perhaps the most interesting feature of the coal-measure series of Assam and the Pegus of Burma is the intimate association of petroleum with the coal.

In north-west India, in Baluchistan, the Punjab Salt Range and Jammu (Kashmir) workable coal occurs in the Laki stage (Middle to Lower Eocene) of the Tertiary rocks.

(2) Quality and Origin of Indian Coals.—In India, in the lower Eocene coals of the north-west, we have an irregular range from the brown lignite of Bikanir to the anthracitic coal of Jammu. Although these fuels are of the same geological age, they occur at considerable distances apart and, today, in isolated fields. Proximate analysis of these coals and some of the Upper Oligocene coals of Assam are given below —

The steady decrease in Fixed Carbon and the increase in Volatile matter as the younger seams are reached is evident in the seams from both the Barakar and the Raniganj stages in the Jharia coalfield. The moisture content is relatively small throughout the coals of the Jharia field. Turning to the Raniganj stage coals of the Raniganj field the high general moisture content attracts immediate notice.

From the above analyses, it will be seen that the Gondwana coals are all of the bituminous variety. Those from the base of the Barakar stage approach semi-anthracites in quality, but are nevertheless true bituminous coals.

The existence of (1) coals of the cannel and (2) high-moisture type are suggestive, respectively of (1) high resin content in the original plant debris and of (2) the absorption of water by the coal substance at some subsequent period after coal formation.

Nearly all the Gondwana coals show three visible components, which, judging by the literature of other countries are the well-known coal constituents vitrain (vitrit) or bright coal. (glanz kohle), fusain (fusit) or mineral charcoal (faserkhole) and durain (durit) or dull coal (mattekhole).

(3) Constitution of Coal—Geologists fully recognise the vegetable origin of coal.

An examination of specimens of fusain shows that there are different varieties.

I found that the whole of each of the coal slices examined appeared to be permeated by some substance of remarkable physical uniformity—irrespective of the presence of recognisable plant structures. This coal-substance, when viewed perpendicular to the plane of lamination of the coal, behaves as an isotropic mineral. The section remains dark between crossed nicols. In the case of sections cut vertical to the plane of bedding, the substance exhibits the properties of a uniaxial mineral.

(4) The formation of Indian coals.—It appears to be the product of the chief

components of plants—cellulose, lignin and suberin—which have been successively chemically broken down to form a common jelly, which, by subsequent hardening to primary vitrain, and subsequent change by de-volatilization, is preserved as pure vitrain. The quality of the vitrain is some measure of the degree of maturity attained by a coal in its metamorphosis towards pure anthracite.

There is no doubt at all that the fresh water and marine coals of India were formed under water in regions subject to prolonged subsidence.

### Tuberculosis in India

Dr C. Muthu read a paper at the Congress on "The Social, the Economic and the Dietetic Aspects of Tuberculosis in India". In the course of his thesis he stated :—

The widespread distribution of tuberculosis in India demands the earnest attention of both the Government of India and the Indian people. It is not only increasing in Madras but also in other presidency capitals, in the great industrial and commercial centres and crowded cities, and is spreading from towns into the villages. It is one of the most important tropical diseases at present and is most fatal in the large towns and cities. It is no exaggeration to say that about a million people die every year in this country from tuberculosis. The social customs like child-marriage and purdah system, prejudices and ignorance in the very elementary laws of hygiene contribute in no small measure to the physical decline and disease in India. Add to this there are also economic factors.

Overcrowding is extremely bad in India especially in many of the older cities where thousands of houses are packed close together and built with no provision for light or ventilation. The density of population is in direct proportion to the incidence of tuberculosis.

The sanitary standard as regards conservancy, drainage, disposal of sewage, clean water-supply and good housing is very low in many parts of India. The housing condition of even well-to-do classes in respect of hygiene, ventilation, etc. falls short of modern artisan dwellings in England. Low wages and poverty are more intimately associated with tuberculosis in India than any other single social or economic cause. Further the recent advances in bio-chemistry and the newer knowledge of nutrition have revealed the fact that the physical efficiency and well-being of a nation is largely a matter of the food they eat. Much disability and disease in India is due to inadequate and ill-balanced diet. The common diet of many of the poor, which consists of polished rice, dal, vegetable and condiments, has a parallel in the diet of the English poor—white bread, margarine and tea—and both are deficient in nutritive quality and unable to maintain sound health. And there is a great shortage of milk in India. In former times, when grazing lands were free and almost every householder kept a cow, the health of the people did not suffer, as they had sufficient nutrition to draw from the milk and milk products, unpolished rice and fresh vegetables. The great importance of milk and its products in the dietary of the people can be realised when it is seen that it is the only source of animal protein (the other source being eggs which are not eaten by many millions) available for Indians who are vegetarians. The children have suffered mostly from want of milk in their daily dietary which is so necessary for their growth and development.

Therefore the problems presented by tuberculosis in India are more formidable and complex than they are in Europe or America. Some of the main principles to guide us in the treatment and prevention of the disease that social reforms are urgently needed to raise the standard of health and efficiency of the people. This can be more effectively done by an enlightened conscience and public opinion and the moral and spiritual impulses of the people than by any legislative or compulsive measures.

playing grounds for children, teaching of hygiene in schools, etc.

Again a rise in the wages sufficient to maintain a decent standard of nutrition and agricultural prosperity are important means to reduce poverty and improve the vitality of the people. Giving attention to the health and nutrition of the children

to-day would mean a stronger race and less tuberculosis in the coming generation. Improving agriculture would mean the production of better crops and more food and the cheapening of the necessities of life. Of all the medical measures the treatment of pulmonary tuberculosis in a well-conducted sanatorium under medical supervision offers the best hope of success in a large number of early cases. This involves the training of medical men in early diagnosis and early treatment.

There are at present about seventeen homes and sanatoria distributed all over India for the treatment of tuberculosis. In South India there is one at Madnapalle, and another is being built at Thambaram, about 15 miles from Madras. How is it possible for these few institutions to satisfy the sanatorium needs of the millions of the Indian people? In England and Wales there are 458 sanatoriums, of which 151 are voluntary and 309 are under control of the State? If India is not ready to embark at present on a big sanatorium scheme, a simpler measure would be for medical men in various cities and towns to join together and open a place in the country not far from their neighbourhood and treat early and suspected cases and thus give first aid in consumption and show their patients and their relatives the advantages of fresh air and hygienic living.

### Anthropology Section.

Mr. L. A. Anantakrishna Aiyar, in the course of a paper on "The manners and customs of the Korachas, a Criminal Tribe of Mysore" submitted to the Anthropology section of the Indian Science Congress, said :—

The study of the Criminal Tribes in India is one of absorbing interest to the ethnologist, psychologist and the administrator to study the manners and customs of the criminal tribes, their activities and achievements.

Among the various criminal tribes the Kuravaras, otherwise called Korachas in Mysore, form a very large majority, and they are scattered all over the Tamil and Telugu speaking districts of the Madras Presidency, Mysore, the Nizam's Dominions, Berar, and even some parts of the Bombay Presidency. They may be called the "Land Pirates of India."

After tracing the origin of the Tribe he said : The Kuravaras have as many as thirteen endogamous groups based chiefly on occupation, but the two broad divisions are nomadic and settled. The latter live on the outskirts of villages, carrying out their nefarious work with the help of their colleagues. They are a set of fatalists taking their lot very philosophically, by a kind of traditional heredity. They are devoid of feelings.

Speaking about marriage customs the lecturer stated :—

Polygamy largely prevails amongst them. It is interesting to note that the marriage with them is not a sacrament, and that in his conception it is a matter of necessity, liable to modification as he likes. A wife in their opinion makes a better servant. The rank and file of the woman have no hard and fast rule regarding the marriage tie. Very often when their husbands happened to be in jail, temporary arrangements are made for their wives.

The Koravan panchayat is well organised. They have their recognised headmen, and elderly members of the tribe whose administration is strict and impartial. The grades of punishment are various and the prestige of the tribe is rigidly maintained. In certain cases to elicit the truth, trials by ordeals are resorted to. The culprit's innocence is proved by dipping one of their fingers in a vessel containing boiling ghee. But such cases seldom crop up. Oaths are invariably taken before the tribal deity. Fines, when imposed, provide drink for the tribesmen.

The Kuravars are believers in magic, sorcery and witchcraft, as also in omens and various kinds of superstitions.

They are animists, and have their gods, godlings and spirits on whom they depend in time of danger. To ward off the attacks of demons and spirits, a knife is stuck at the entrance to the hut with the sharp edge pointing upwards. A bunch of thorns is suspended in some cases to keep them away. They act as watchmen, and so supplement their income by easy stealing. The villagers employ them, according to an old saying to set a thief to catch a thief.

4TH DAY—5TH JANUARY 1929.

The Indian Science Congress resumed its sittings this morning when there was a general discussion on "Mathematics and Life" in the memorial Hall. Prof. M. V. Gopalswami of Mysore presided. Prof. John Maclean of Wilson College Bombay opened the discussion with a paper on "Mathematics and life—an appeal for co-operation in an educational experiment".

In the course of his paper he said that mathematics might be of far more varied service to mankind than was generally recognised. Its services were invaluable in solving certain problems, and in providing an intellectual discipline. It was not sufficiently recognised that even in its elementary methods Mathematics had a flexibility and range of applicability that would make it of great help in steadying the gaze of many who were perplexed by elusive problems in science and in all practical affairs, and even those whose interests were in philosophy. The speaker then gave in detail the experiment that was being done by him, to teach Mathematics in such a way as to put that into use in every day life. He also referred to the many charts prepared by him in connection with this experiment and made a fervent appeal for co-operation from educators of different provinces.

The President observed that Mr. Maclean's main idea was to revolutionise the teaching of Mathematics in such a way that it would endure with the pupils as a life-long habit.

#### MR. ANSTEAD'S PAPER

Mr. R. D. Anstead, Director of Agriculture, Madras, read a paper in the agricultural section, on "Recent Agricultural Development in Madras." Mrs. G. L. C. Howard presided. The following is a short abstract of Mr. Anstead's paper:

The Madras Presidency provides a very wide range of climatic and physical conditions, a very large number of different crops are grown and there is a consequent wide range of agricultural problems. Paddy millets, groundnuts and cocoanuts are the main crops.

A great deal of attention has been paid to crop improvement by selection and hybridisation methods and a number of subsidiary breeding stations have been established for the study along these lines of paddy and cotton. More recently similar work has been undertaken with millets and a start has been made with groundnuts and cocoanuts.

A method of growing cocoanuts under dry farming conditions has made their cultivation possible over large areas hitherto waste.

Many improved strains of paddy and cotton have been evolved and issued and seed firms established to meet the growing demand for seed. Attempts are now being made to persuade co-operative societies to take up the work of seed multiplication and distribution.

Legislation to control disease of cotton and mixing of pure types has proved unpopular and not altogether successful.

The study of cultural improvements of cotton are now being taken up especially the time of sowing. The use of iron ploughs is closely linked up with cattle improvement and the fodder question and the possibilities of silage are being studied and demonstrated. The introduction of improved high yielding strains emphasises the necessity for intensive manuring and the use of artificials is under investigation, and a special experiment station is being started subsidised by supplying firms to test out the new fertilisers now rapidly coming in the market.

The subject of the effect of different manures on the food value and vitamin content of the resulting grain has received special attention in collaboration with Lt.-Col. McCarrison and the application of a certain amount of organic manure appears to be essential. The bearing of this on all manual systems is under investigation and attempts are being made to increase the available quantity of this by the making of "Synthetic Farm Yard Manure" a method of doing which is demonstrated to the ryots. An activated sludge plant is being installed at Coimbatore.

Animal nutrition work is also being undertaken to study local problems. The

biological control of a caterpillar which attacks cocoanuts on the West Coast by means of its natural parasites introduced from the East Coast has been successfully undertaken. The control of fungoid disease which attacks the fruit of areca palms has been controlled by spraying on a very large scale. The bud-root of *plamyra* palms is also controlled under the Pest Act by a special staff. Attention is being paid to the possibility of evolving disease resistant strains of a number of crops.

Propaganda and demonstration is concentrated on a large number of small plots on the ryots' own lands. Co-operative societies have been formed to demonstrate better farming methods on small model farms. Agricultural exhibitions are given at local fairs and festivals and a motor exhibition van has recently been purchased to travel round the villages.

### Anthropology Section

Mr R. B. Seymour Sewell, in the course of his presidential address to the Anthropology section on "The origin of man and the population of India in the past and the future", said:—

The population of India at the present day is a great heterogeneous collection of races and tribes, of differing physique and in all stages of culture, and if ever this mass of humanity is to be welded together—I do not say into an Indian nation, for at present such a result appears to be beyond the bounds of possibility—and is to assume politically a more or less homogeneous character, a knowledge of the habits, culture, religion and, last but not least of the physique and bodily structure of the various tribes and especially of "the stranger that is within your gates" or on your borders is of prime importance; and not a mere knowledge only, but a full appreciation of all that those habits, customs and traditions mean to him. To some these customs may appear foolish or a result of ignorance and superstition, a relic of a far-off past, but to the individual himself they may be the very essence of his being.

At the present time, the study of Anthropology in this country is in its infancy and its importance does not appear to be generally recognised. There are, I believe, only two of all the universities in India that include the study of Anthropology in their curriculum and even in these two instances far more attention is paid to the study of Ethnology, to the habits, customs and traditions, either religious or mythical of the people than to their physical or, as I may perhaps be allowed to put it, their zoological relationships. That this should be the case is, when viewed from the standpoint of one who wishes to trace man's evolution, regrettable, since the study of language or customs, no matter how thorough or painstaking, can never reveal to us the actual relationships of the various tribes and races that go to make up the population of this great country, nor will it enable us to reach any definite conclusions regarding the origin or the structural evolution of the great mass of the inhabitants that are at the present time living in India.

Viewing the subject from another standpoint, Indians are, very naturally, interested in their past history and are justly proud of their ancient civilisation. They point with pride to the fact that it is in India that we find some of the oldest civilisations and religions of the world. But the story of India does not begin with the Rig Vedas. Ages prior to the rise of India's great civilisations and cultural achievements an Indian population was gradually undergoing a process of evolution, starting from the most primitive conditions and progressing steadily onwards and upwards to the stage when history begins and the art of writing brought to a close the stage of purely verbal tradition. The history of India as we know it to-day, is only the sequel to a far greater history that went before; a history that has left its traces, not in the written word, but in the actual remains of these primitive people and of their implements and utensils; and this history only requires investigation. Throughout the length and breadth of this country there is awaiting discovery a mass of evidence of the most valuable kind that will enable future archaeologists and historians to trace the course and sequence of events that led up to and formed the basis on which Indian civilisation and culture was founded. I would, therefore, take this opportunity of impressing on you the necessity of a study of Anthropology both for the archaeologist and historian and especially for the politician, who hopes in

years to come to take part in the administration and government of the various and varied tribes and races of this country.

The origin of the so-called human race is still a matter of dispute. We do not yet definitely know either the time at which or the region where the first pair, the mythical Adam and Eve, from whom the whole of the present population of the world has sprung, made their appearance. We are not even certain that the human race had a single origin. But we do know that whatever the origin of the so called genus *Homo*, there are at the present day a number of different races, many of which in their structure differ so greatly from one another that they would be divided by zoologists, if judged by their structure alone, into different species; and furthermore we know that in times past similar races have sprung up only to be gradually eliminated by nature in the struggle for existence.

The paper then dwelt at length on the different theories regarding the origin of man, the period in which man first came into existence, and the conditions of the track in the period when man first lived.

The evidence that we have been considering seems to indicate the possibility that the human race has either had a double origin, a brachycephalic race arising in the central Asiatic Plateau and a dolichocephalic race in the region of the Sahara, or that an original single ancestral stock early become differentiated into two such races. The proximity of India to Central Asia would lead us to expect that the earliest inhabitants of this country would be brachycephalic; but in this collection there are certain points in the geographical and geological history of this country that we must bear in mind. At the close of the Cretaceous Period and the commencement of the Tertiary Epoch India was an island, completely cut off from the rest of Asia by the Tethys sea that ran from east to west across the northern coast of Peninsular India in about the position where to-day we get the great Gangetic valley. Whether man originated in the Sahara or in Central Asia or both, it is clear that his immediate precursor, that missing link, half man, half ape, could not at that time have penetrated into this country, though he might have already migrated to other regions. Gradually, however, this intervening sea became obliterated. In the middle of the Tertiary epoch the Himalayas rose steadily and these upheavals, as has been pointed out by Pascoe (1919), "during the Nummulitic epoch drove the old Cretaceous sea westwards. Tibet and the whole of the Himalayas (with the exception of the Ladak Valley) becoming dry land. They, however, assisted in producing a depression along the base of the continuous series of mountain arcs, forming a gulf in which a constant struggle took place between the deposition of silt tending to fill up the gulf and the general subsidence tending to deepen it." With successive changes the gulf became more and more reduced in size but was continued to the east by a river, to which the name Indo-brahm has been given; still later, the gulf became a series of lagoons or lakes, and, this stage proceeding yet further, there was formed in Pliocene times a larger river that then flowed right across the whole width of Northern India from east to west and opened into the Arabian Sea, where the Indus opens at the present day.

The first connection between India and the rest of continental Asia in the middle of the Tertiary epoch must, then, have been on the east and it was from the east that at about this period the vertebrate fauna of India poured into the Himalayan region and the country to the south; and probably with or following on the inroad of the vertebrates, came Man and those closely related forms *Dryopithecus* and *Sivapithecus*. All through the later part of the Tertiary epoch and in the early Pleistocene the connection between India and Asia was increasing but at the same time the great mountain range of the Himalayas was rising higher and higher and this, combined with the effect of the Glacial period in Pleistocene times, probably proved a sufficient barrier to the transmigration across the range of the northern races.

The first immigrants, coming as they almost certainly did, from the north-east, should, if our previous conclusions have been correct, belong to that division of the human race that probably lay then, as it does to-day, in the region of Central Asia and in consequence must have been brachycephalic. We have already noted that the earliest race that shows a broad head and probably the earliest race to appear in Asia is the Negrito stock, and both Hutton (1927) and Guha (1928) have

recently called attention to the fact that we can still find traces of a Negrito strain in certain of the more primitive tribes such as the Nagas and the primitive tribes of Cochila

The next invasion that appears to have taken place also seems to have come from the north-east, and this second invasion was in all probability part of a big movement that has left traces of itself in India, in the Naga Hills and as far a field as Melanesia ; and has resulted in our still finding traces, such as the Megalithic culture of certain regions of India, that exhibit a distinct connection with the culture of the Melanese. A third invasion soon followed but on this occasion the line of penetration seems in all probability, to have been not on the north-west. The gradual changes that had been going on in the physical features of this country, combined with either the close, or at least a temporary withdrawal, of the Glacial conditions, permitted an immigration into India of the Proto-Australoid descendants of Neanderthal Man and thus gave rise to the Pre-Dravidian tribes that we still find scattered throughout the more inaccessible parts of the country. Still later came an invasion of Alpines from the region of Central Asia and on this occasion also the invasion came from the north-west ; and still later again the invasion of the Mediterranean race through the north-west route : and one or other or possibly both of these last migrations seems to have been connected with the establishment in the Indus Valley of the civilisation that is now being investigated in Mohenjo-daro and Harappa.

So much then for the past ; and now for a few moments I propose to turn to the future. Unless we believe that Man has reached the end of his evolution and that the future holds no possibility of progress, and I hope that there is no one present who would accept such a view, we must admit that man is still changing. It is, therefore, of the greatest importance that we should keep a record of what is going on, not only in the race, but also in the individual ; for it is only by observations on large numbers of individuals that we can get evidence of what is happening in the race. It is now thoroughly well established that through the whole course of life the individual is continually altering. I have already referred to the changes that take place in the cephalic index with advancing age and exactly similar changes can be detected in many, if not in all the other measurements and indices of the body. But these changes do not apparently occur at exactly the same age in the development of different races ; they appear to be early in some and late in others. In order, therefore, to be able to compare with the greatest degree of accuracy, measurements taken on different races and tribes, it is essential that we should know the ages of the individuals and their curves of growth. In the case of India but little work of this nature has been attempted, though the subject is one of great importance. With changing habits and customs there will, in all probability, be a change in the development of the individual and ultimately in the development of the race. What for example, is the result of education and the consequently necessary sedentary type of life at the most important period of an individual's existence, namely, the period from the onset of puberty to the attainment of the adult stage, a time when nature is putting the finishing touches to her previous work, when the important molar teeth are being cut, when the bones are becoming consolidated, epiphyses joined to diaphysis in the long bones and the tips of the spinous and transverse processes joined to the bodies of the vertebrae in the backbone ?

It is of the greatest importance that we should keep a record of such changes and I would urge every educational authority to institute a system by which a record of every student is maintained. In England and other countries we now have medical officers from the Department of Health, whose duty it is to inspect the students and to see that they are given proper medical treatment, when such is required. These medical officers may point to the prevalence of certain features such as stunted growth, myopia or defective teeth, etc., all of which observations are of importance to the Anthropologist just as much as to the medical officer ; and with a little more time and a few more observations, such as the length and breadth of the head, its maximum circumference, etc., we might gain a very valuable addition to our knowledge regarding the development of the race as a whole, and the more detailed such a record, the more valuable it would be.

### Zoology Section

Lieut.-Col. F. C. Fraser, I.M.S., District Medical Officer, Malabar, in the course of his address on "The Periodic Ebb and Flow of Life," as President of the Zoology Section, said :—

"It becomes necessary here to define exactly what I mean by the Ebb and Flow of life, because in the history of every race, be it of man himself or of the lowest unicellular organism, may be traced two different types of curve. There is the main curve rising gradually to its zenith and then falling more or less steeply, which represents the entire history of a race from its origin to its final extinction, and there are the secondary oscillations or curves which occur in the course of the main curve, representing periods of abrupt increase and decrease. It is to differentiate these two types of curve that I have added the adjective and designated the ebb and flow as periodic. I would, therefore, define the term "Ebb and Flow of Life" as the series of increases and decreases in the numbers of any species, representing a temporary upsetting of the balance of nature. These secondary curves, which I have mentioned, are in fact, merely oscillations of the scales of nature.

"We are accustomed to talk of the balance of nature but in these secondary oscillations, the balance seems to be upset. The truth is, that there is little or no equipoise in nature, its balance is continually being upset, its very nature is plastic to a degree. No race can hold its own for long, not excepting man himself. History abounds with the stories of the rise and fall of empires, and Zoology teaches us of the extinction of countless species, plant and animal life, vertebrate and invertebrate, each in its turn is weighted down and submerged by some more dominant creature.

"The main curve that is the steady rise and fall to extinction of a species, has been explained to the satisfaction of most of us, by the generally accepted doctrine of natural selection and the survival of the fittest, but in the short time at my disposal, I have been able to find but few references in literature which attempt to throw light on the periodic oscillations in the life curve of a race."

The lecturer then dwelt at length on the life history of a butterfly, and some species of plant life to illustrate this periodicity.

"I believe that among other factors influencing periodicity in the increase of animal life, the unequal distribution of species, which results in overcrowding and a comparative lack of food plays a large part.

"There are a number of other factors involved in the ebb and flow of life. Climatic changes, for instance, play a large part in propagating or destroying life. Seasonable seasons result in an increase of insect life, whereas an unseasonable season, by upsetting the normal cycle of life, the dates of emergence of pupae, etc., results in what the collector calls a poor season. The emergence of insects is profoundly affected by the onset of the monsoons. Thus the average entomologist can usually tell you more about the monsoon, and when to expect its break, than the whole of the staff of the meteorological department. Indeed I think members of that department would be a little more accurate in their pronouncements, if they were compelled to take out a course in entomology or zoology.

"Cyclonic disturbances are frequently heralded by sighting of insects and undoubtedly play an important part in the wide distribution of species.

"Distribution has gone on amongst mammals at a much slower pace than amongst birds or those insects gifted with the power of flight; mammals could never hope to traverse the barriers which these surmount. Yet we commonly find insects, which although gifted with considerable powers of flight, are strictly confined to quite small areas. What factors control the distribution of such species? Are they trapped by the entire suitability of their environment or are they bound to the spot by insuperable geographical barriers? Doubtless a combination of these factors is the real explanation. Dr. J. C. Willis, the botanist, whose chief work was carried out in Ceylon and to whose "Rule of age and Areas" I believe few of us subscribe to, admits this when he states that the area occupied by any group of allied species may enormously be modified by the pressure of barriers such as seas, rivers, mountains, changes of climate or other ecological boundaries and the like."

"Now in India we have unrivalled opportunities for studying the action of barriers such as I have mentioned, for there is probably no country in the world



which, for its size and compactness, possesses so many diverse climates and geographical features. It has deserts almost as arid as the Sahara with a rainfall of less than ten inches a year, and it has wet areas whose rainfall is unequalled by any place in the world ; its temperatures range from far below freezing point, as in the eternal snows of the Himalayas, to well over 100 degrees in the shade, as in the eternal heat of Madras ; it has fine rivers, spacious lakes and broad plains and plateaus which alternate with extensive ranges of mountains clothed with magnificent jungles, and finally, its altitudes range from sea-level to the highest in the world. With such a variety of geographical and physical features we must expect to find many natural barriers which serve to limit or extend the distribution of species.

As two of such I may mention two very interesting examples, neither of which has received its due attention from zoologists or botanists. I allude to the Palghat Gap in the Western Ghats and the vast plain of the Ganges, which latter serves to separate the Himalayan fauna from that of Peninsular India. Each of these two barriers is a Wallace's line in miniature and if we confine ourselves to a study of the endemic faunas of the hilly tracts on either side of these gaps, we shall come to some very interesting conclusions. I think it essential that we should restrict our studies to endemic species, because non-endemic ones do not appear to be restricted by ecological boundaries as are the endemic species, and their inclusion is more than likely to make us arrive at wrong conclusions. I think that I am correct in saying that many non-endemic species found in montane areas are those which are found commonly flourishing in the plains and to these, barriers like the Palghat Gap and the Gangetic Plains offer no restrictions of dispersal. The truth is, that the average species of the plains and the sea-levels has a greater adaptability than the montane or submontane ones.

"Now I have mentioned purposely a number of problems, all of which, if they are to be solved, must be solved by workers in the field. From a survey of the papers presented for reading at this meeting, I have gained the impression that there is a tendency to follow rather slavishly the methods of research adopted in Europe and, to a less extent, in America. New fashions of study are continually cropping up in all the sciences, zoology not being excepted, but there is no reason why you should be slaves to fashion, indeed from the advantages offered to you here in India, there is every reason why you should strike out on a definite line of your own, your work being devoted to a study of those problems of nature whose solutions are to be found only on the spot.

"Problems such as I have merely touched upon can never be solved at the bench in the laboratory but by hard keen practical research in the field. Unless a student has a good knowledge of classification and natural history, which latter some affect to despise, he will never make a good zoologist, for these two form the grounding which later will orientate him for more special studies ; practically all the fathers of zoology and botany exhibited a love of natural history from their earliest youth.

"You will find in most English schools a few scholars who take up the study of natural history as a hobby from an innate tendency to study nature for the love of nature. I do not find the same tendency in the Indian scholar and I have never yet met a single medical student in this country who exhibited the slightest interest in natural history. I am told that such studies do not advance one in the profession of medicine or that no time can be spared from ordinary studies, and again by others, that you cannot study nature without destroying life, meaning I suppose the collecting of butterflies and other forms of life.

"Few of these excuses ring true and as for the lack of time, I believe that we can all find leisure to devote to a little research outside our own narrow confines, and that such time is well spent.

"Another handicap which cramps the study of zoology in this country is the lack of suitable media in which to publish stray notes. With the exception of the Bombay Natural History Journal, there is no magazine which publishes miscellaneous notes on natural history. Thus a mass of interesting information must go begging every year. In European and American cities numberless journals cater for the local natural history enthusiasts, so that from year to year we find published interesting details of the arrival and departure of birds, of the discovery of insects in new locali-

ties, of some curious instance of mimicry, of the nesting habits of some bird, of albinism occurring in some animal and many other interesting and useful facts. Individually such items may seem trivial but they all help to swell the fountain of knowledge and will undoubtedly help future workers to solve problems which baffle the present generation. I would like therefore to see every college running its own field club and to see a few pages of the college journals devoted to notes on natural history.

"To the Indian student of zoology I would say that the begin-all and end-all is not to be found solely in the laboratory. Theories manufactured in the latter are apt to be fallacious when dealing with subjects which could be better studied in the field. Let me give a concrete example,—The "Butterfly" or *Kallima* is invariably shown in all museums mounted on a twig and posing as a dead leaf. Even the British Museum has fallen into this error. The laboratory worker noticing the close resemblance of the shape of the wings of this butterfly and of the colouring of the undersides to that of a dead leaf, comes to a fallacious conclusion that the butterfly, when alarmed, immediately settles on a twig and assumes the role of a dead leaf. Specimens of the insect are thus mounted and exhibited to the public as examples of protective mimicry. A little reflection ought to show us that it would be difficult for the insect, when suddenly alarmed to find at a moment's notice a suitable twig and shape of leaf in which to merge itself. As a matter of fact the truth is stranger than the laboratory worker's fiction. I have studied *Kallima* in the Nilgiris, and find that when alarmed, it darts into the jungle, closes its wings and drops to the ground at the same time falling over into its side and in such a position looks exactly like a dead leaf. It matters not whether the leaves around match it or not, for in the average jungle you will invariably find an odd lot of foliage decaying on the ground. I may say that this habit is not confined to *Kallima* alone so that there is less excuse for the preparation of the fraud. Incidentally I may mention that I have frequently noticed *Kallima* fly to and settle on the trunk of a tree when alarmed in which position its colouring merged with the colouring of the bark. A similar habit is indulged in by the *Vanessidae*.

"This great land of India is peculiarly adapted to the study of natural history in the field, thus an Indian School of Zoology could be made very distinctive and individualistic, characterized by its wrestling with the great problems of nature such as the distribution of species, environment, parallel and convergent evolution, mimicry as observed in actual life, the psychology of the jungle and a hundred other like problems. Already one sees a tendency towards such a school, the foundations of which were laid by distinguished members of the Zoological Survey of India. It is for the younger generation of Indian Zoologists to build and fashion the stately edifice, and to all these ardent young men I would say,—"There is nothing hidden which shall not be found out," an ancient truth which should be the inspiration of all research workers."

## Medical Section

The following are short extracts from the presidential address delivered by Lt. Col. Wright in the Medical Section of the Congress :—

We have seen that the advancement of the welfare of mankind is our goal, and that this is ultimately dependant on the further development of his brain. Further we have seen that the brain of man reached its highest perfection through the agency of vision. It will not be inappropriate, therefore, if I give you an idea of some of the directions in which scientific investigation in connection with Ophthalmology has progressed of recent years. In doing so I shall endeavour to exemplify by reference to the localised, but vastly important field, many of those types of activities with which we are all concerned, and reflect in the mirror of Ophthalmological research, the various ways, in which medical and veterinary sciences in general, pursue the ultimate object of our endeavour.

The eye consists essentially of a globular outcrop of the brain which has become invaginated to form a cup, separated from the outside world by a transparent epithelium modified to form an optical system. The neural epithelium is capable of receiving distance stimulation by means of the radio-receptors,—the rods and cones,—

so that it is possible for us to form an impression of a source of radiation at an enormous distance, e.g., a star. We can examine this receptive organ during life by accurate methods which we cannot apply to any other part of the body. The ophthalmoscope enables us to obtain a magnified view, (about fifteen diameters), of the finer vessels on the surface of the retina, which,—for all practical purposes is the surface of the brain,—so that we can observe over long periods the changes taking place in this important system of vessels, from their earliest stages right up to the establishment of gross disease. We are thus enabled to gauge more accurately, perhaps than by any other method applicable during life, the probable changes which take place in the cerebral vessels. It is not only possible to undertake this histopathological investigation of living tissues, but our observations may be recorded accurately and scientifically by means of photography. The photography of the *fundus oculi* has now reached a practical stage and this method will be increasingly used in the future to record serial observations of pathological processes. One of the greatest advances in this field has been made by the introduction of slit-lamp illumination in connection with the conneal microscope.

The subject of cataract has, as you know, occupied a very prominent place in ophthalmological literature, particularly in the field of surgery. The surgical treatment of cataract however, has probably had more than its share of prominence considering the relative economic importance of the subject, so I shall not do more than mention three of the factors, resulting from clinical research in technique, which have sprung into prominence of late. They are, the elaboration by Barraquer of the suction pump for removing the lens in its capsule, the adoption of some means of retaining the lips of the section in apposition after operation, and the more extended use of novocaine in obtaining a painless and motionless field of operation. These factors have been prominently before the minds of workers in many of the large clinics of the world, and as may be seen from the literature, Madras has not been behind hand. The method of blocking the main trunk of the seventh nerve near its exit from the skull, originally evolved here in the Government Ophthalmic Hospital, and practised by us as a routine method, is coming into more general use. An entirely different type of investigation is that in connection with the filterable viruses. For many years bacteriologists have been faced with a certain type of acute infective disease which is not associated with a demonstrable cause. One helpful fact emerged in connection with the group, namely, that the virus was filterable in certain cases, and that it is probably an ultra-microscopic living entity.

In India it is more difficult to evaluate the chief causes of preventible blindness. In the first place it is not possible to get accurate figures for the serious affections which attack the eye in the first month, year, or age period. Here we have an example of the importance of maintaining adequate returns for the compilation and application of vital statistics. It has been assumed that the ophthalmia neonatorum is as important a cause of preventible blindness in India as in England. There are, however, some facts bearing on this assumption which must be considered. Ophthalmic neonatorum appears to be milder affection in India,—at least amongst the inhabitants of Madras,—than it is in Europe; syphilis of the eye in the first year is not uncommon, and this together with smallpox, kerato-malacia, and the application of irritant remedies account for a relatively large amount of damage to the eyes in the first few years. It is probable that preventible blindness has been vastly reduced in this presidency by better methods of vaccine production established by Cunningham, resulting in a higher protection rate, but reliable statistics are again necessary to confirm this view. This consideration helps us to appreciate in proper perspective the value of the laboratory worker, and the field worker, to an apparently isolated clinical section of the medical department. It might be a disquieting thought that the King Institute of Preventive Medicine, Guindy, has perhaps done as much or more towards the prevention of blindness as the Government Ophthalmic Hospital, if we did not appreciate the work done by others and the fact that prevention is a more potent factor in the elimination of disease than cure.

The importance of combating the six affections due to small-pox, gonorrhoea, syphilis, irritant remedies, trachoma and keratomalacia, on account of their attack

on the eyes in early life, is not realised in this country. Intensive propaganda work is urgently required. Money spent in this connection would be better spent than in establishing institutions for the blind, which, although humane in intention, is beginning at the wrong end. The support of propaganda efforts has, up to now, been unenthusiastic.

The anatomy of the eye has attracted very considerable attention in recent years. Prof. Arthur Thompson of Oxford has been prominently identified with this movement. His association with Ophthalmology was linked with that of Coats, a most distinguished investigator of clinical Ophthalmology, who founded the Oxford Ophthalmological Congress. Prof. Thompson is responsible for the beautiful anatomical production, "The Anatomy of the Human eye as illustrated by enlarged Stereoscopic Photographs," and Prof. Whithall, formerly his Demonstrator, now Professor at McGill University, published a few years ago "The Anatomy of the Human Orbit and Accessory Organs of Vision." Some of you are possibly familiar with Onodi's work on the nasal accessory sinuses, and may perhaps have been those of his dissections acquired for the Museum of the Royal College of Surgeons. Onodi's work on "The Optic Nerve and Accessory Sinuses of the Nose" was an important addition to our knowledge of the relation between diseases of the nose and of the eye, and as an applied anatomical study, gave a clear idea of the relations of the nasal accessory sinuses to the orbit.

The research which has perhaps caused the greatest stir in ophthalmological circles is that of Duke-Elder on "The nature of the intra-ocular fluids" as related to glaucoma. With a more elaborate and delicate technique than has hitherto been considered practicable, he has measured the actual pressure in the retinal arteries and veins, and arrived at an idea as to the pressure variations in the capillaries. The hypothesis is put forward that the aqueous is a dialysation in equilibrium with the capillary blood, that there is no real circulation of the aqueous as previously understood, and that its escape by means of the filtration angle only takes place as an adjusting mechanism when the intra-ocular pressure rises above that in the canal of Schlemm.

In the field of physiological research vision has naturally always claimed large share. One of the most profound and important directions in which much progress has been made of recent years is the relation between the eyes and the labyrinth, and the functions of the eye in connection with the postural reflexes.

As a final instance of research in connection with the eyes, we may consider the philosophical investigation of that most eminent ophthalmologist, Sir John Herbert Parsons. In his recent work "An introduction to the theory of perception," we have a magnificent example of synthetic reasoning built up around the phenomena of vision. He hypothesises a biological basis for the phenomena of the higher visual and other perceptual processes, and advocates the development of psychology on a sound biological basis. He traces the genesis of perception from the lower levels phylogenetically where undifferentiated receipts give rise to responses vital to the preservation of the species. With further differentiation certain functions of the nervous mechanism assume a preponderant role e.g., the olfactory apparatus in certain lower animals. The primates have attained their supremacy through the predominance of their visual function. From the human point of view perception appears to be the result of the correlation and integration of many diverse sensory factors.

And now having led you in thought to some of those higher pinnacles of our endeavours, let me conclude this discourse with an anticlimax. In so far as India is concerned, so long as the mind of the masses remains at such a low level of education in hygiene as it is to day, we are only knocking our head against a mud wall in trying to impose western curative and preventive medicine on a large scale. So long as the food supply remains limited, under present hygienic conditions, the population density will be adjusted to its food supply by catarophic natural means, such as pestilence or famine, rather than by the more orderly proceeding of a fall in the birth-rate. India is a magnificent field for medical and veterinary research and all honest work done in this respect goes to pile up the credit balance placed at man's disposal for his own ultimate good, but the results are for the most part inassimilable by the masses in India for want of education in hygiene.

# The Indian Economic Conference

The twelfth session of the Indian Economic Conference commenced on the *2nd January 1929* at Mysore under the presidency of Prof. V. G. Kale of Poona. Delegates from almost all Indian universities and leading States attended.

The YUVARAJ OF MYSORE, in declaring the conference open, extended a cordial welcome to the delegates on behalf of the Maharaja of Mysore. After reviewing the economic activities of the State during the last quarter of a century, he stressed the need for the good marketing of products. Mysore, he said, was not only afflicted with all the difficulties in respect of grading, prevention of adulteration and advertisement that afflicted India generally, but had also a special problem in that her progress depended to a great extent on those middle grade industries that stood midway between the old handicrafts and new large scale high class scientific industries. The marketing of the products of these was always a very serious problem. They were still more interested in the matter of imperial and local finance. His Highness sincerely hoped that they might find a way of reconciling the conflicting interests, not only of the imperial and local Governments, but also of both these with those of Indian States.

## Presidential Address

Mr. K. Chandy, Vice-Chancellor Mysore University, then welcomed the delegates, after which Prof. KALE delivered his address, of which the following is the text :—

I deem it a great privilege to have been elected to preside over this, the twelfth session of the Indian Economic Conference, and my sense of gratitude is enhanced when I remember that this honour is a renewal of the confidence and the kindness the members of the Economic Association showed towards me at the sixth Conference at Lahore in 1923 in choosing me to preside at the next session in Bombay, a duty which unfortunately circumstances prevented me from performing. I congratulate myself on this opportunity of making a survey of the position of economic studies in India and of expressing my views on the prospects of our work in the near future. I was one of those who keenly felt the need of an organisation and a medium for the expression of thought for workers in the field of Economics in India and took a leading part in launching the Association and its journal, and I feel strongly about the little that we have been so far able to do and the much that remains to be done in respect of the study and the teaching of economic science in general and the investigation of India's economic problems in particular. It will be no exaggeration to say that perceptibly and imperceptibly Economics is vying with politics in attempting to mould the destinies of humanity to-day ; and no occasion could be more appropriate than the present to take stock of our position in India in this respect and lay down lines for our work.

## PAUCITY OF ANCIENT ECONOMISTS IN INDIA.

You will all agree with me, I am sure, when I say that the paucity of professed economists who have attained eminence in their special province and of their scientific output, is not a matter of which India can feel proud. The serious drawbacks of our whole educational system and the inadequacy of the constitutional, the academic and the financial provision made for higher studies by our universities are too patent and too often discussed to need reference at my hands. And what is the position to-day ? In spite of the fact that Economics has figured as a subject for study at our colleges for over two generations, there are hardly any scholars among us whose name may be mentioned with those of the many renowned professors at the western universities. At those seats of learning savants have been actively working from their professorial chairs for more years than many of us have lived on this earth. Professors at our colleges in India have taught undergraduates and retired to their European or Indian homes without leaving any traces of their influence or their work. Marshal, Nicholson and Cannan, Fisher, Clark, Taussing and Seligman, Walras and Gide, Schmoller, Wagner, Menger, the Webers Brentano,

Span and Diehl, Wickel and Cassel, Loria and Parcto, to mention only a few names are thinkers most of whom have built up traditions, founded schools or systems of thought and spread inspiration which is gratefully acknowledged even in India. The steady, annual out-turn of research and discussion in the field of Economics in western countries is enviably varied and large; and our soil is comparatively barren. These observations are not the outcome of undue pessimism or exaggerated self-depreciation, but only a frank statement of facts, and they have a special significance in view of the high appreciation I feel for the few Indian professors who have been doing commendable work in the midst of difficulties and of the decidedly cheerful prospect that I see opening before me.

The history of economic thought in other countries suggests that when there is an intellectual upheaval and excitement and provocation of surrounding social and political conditions and when there are urgent national problems to solve, thinking minds are driven to apply themselves to the discussion of economic questions and to impart their ideas to others. Professor Seligman tells us how this was true of the rise of schools of economic thought both in the United States of America and in Germany. He says:—"Just as the economic problems of the new German Empire on the close of the Franco German war gave a prodigious impulse to the development of economic science in Germany, so was a like movement accomplished in the seventies of the last century in the U. S. A." It is worth noting that there was no adequate provision for economic teaching in the States in those days and that England and France were no better in that respect. American students, therefore, resorted to German Universities and studied at the feet of Knies at Heilbrunn, of Roscher at Leipzig and of Held, Wagner and Schmoller at Berlin. On their return to the States, these young men were appointed to the chairs of Economics which were created for them at the leading American Universities. The seed thus sown in a fertile soil has grown into a wonderful crop of researches and scholars who are liberally encouraged and patronised in that wonderfully wealthy country. Everything in that fortunate land is on a large scale; and the study and teaching of Economics is made there not only in the Universities and colleges but in the higher classes in the high schools. In the Columbia University there are between forty and fifty teachers of Economics. The interest taken by the educated American public in economic science is so deep that the American Economic Association has over three thousand members, and the membership of the Academy of Political Science runs to between six and eight thousand. These figures alone should make us pause and think. Millionaires like Carnegie and Rockefeller have founded chairs and institutes for the work of economic research and study.

#### THE ECONOMIC TRADITIONS IN FRANCE AND INDIA

The state of things in France has been different and we, in this poor and backward country, may draw what comfort and moral we can out of it. The venerable French savant, Charles Gide, graphically describes how Political Economy in his country has, on the whole, remained loyal to the tradition of the classical school, how the orthodoxy was maintained intact, for years, under the rigid control of the narrow and exclusive Institute or "Academy of moral and economic sciences," how till the year 1878 there was no provision for the teaching of Economics in any University in France, the work being done at independent collegiate institutions, how after that, Economics came to be yoked with Jurisprudence in one faculty and how it was feared that this admission of the science into the sanctum of the University would open the door wide to heretical dogmas from Germany. Till the beginning of this century the instruction in Economics imparted in the colleges or collegiate high schools was ill-calculated to stimulate a genuine love for the science or the development of economic thought. As in India, the professors had to prepare the students for examination and had to go through a course prescribed by the Government. It is during the last twenty-five years that the basis of instruction has been widened and the Professors have obtained freedom owing to the introduction of the doctorate. Even now the average French student cares to attend only the obligatory lectures useful for his examination and gives the go-by to the others, the 'free' ones. Gide humorously relates how some foreign students, who went to attend his lectures and feared they would find no room in his

class, were surprised to see that there were hardly fifteen pupils attending. The French student chooses his professor only with an eye to his examination, and the professor, however renowned for his learning, cannot attract pupils by his attainments or scholarship. His moderate income is independent of his fame and the number of his students. In spite of these unfavourable conditions, Gide maintains, the literary output of French economists is by no means small, and can compare favourably with the output of other countries. Pure economics is, in France, an unproductive branch, but questions of social reform and of economic policy are actively and widely discussed. In fact this is a striking characteristic of the country.

Until very recently, Indian professors were expected only to cater for the needs of undergraduates preparing for the degree examination, the level of teaching and study was very low and the facilities at the colleges were extremely poor, the universities contenting themselves with prescribing the courses of instruction and examining candidates. Outside the colleges and the universities, the impulse to the investigation and discussion of economic problems came from the political and social conditions as they steadily developed in the country. Chronic poverty and recurrent famines, the *laissez faire* and *laissez passer* attitude of the state, the land revenue and currency policies of Government, the growing indebtedness of the peasantry, over-centralisation of administration, famished provincial finance, cotton import and excise duties, the salt tax, the decay of indigenous industries—were matters which chiefly attracted public attention and evoked discussion, and Dadabhai Naoroji, Ranade, Romesh Dutt and Gokhale became exponents of independent economic thought in all such directions. Pure Economics found no devotees, and economic history and economic policies absorbed the attention of such few students as the unfavourable conditions in the country produced. This tendency also finds a parallel in the development of economic studies in France. Apart from political organisations which made it their business to mould public opinion on economic problems, there were neither associations nor journals which devoted themselves to the study of economic theory, the investigation of economic conditions and the suggestion of government policies. In the absence of initiative and power of any kind to mould things, mental depression and intellectual lethargy reigned supreme. This state of things persisted for years, and little was done either by the University or by enlightened public opinion to improve it. Indian economists and publicists found no place on the committees and commissions which were appointed from time to time to enquire into various questions of economic and general public interest. They were thus deprived of the opportunities to handle such problems from the theoretical and the practical points of view; and government and the nation lost the benefit of the touch with the realities of Indian life and sentiment which they were best calculated to supply. The atmosphere within the universities and outside was, in this way, not very congenial to the outburst of economic speculation or to the formulation of plans of economic and social reform, though the little that was achieved in the unfavourable conditions, left no doubt as to the latent possibilities of the nation in those respects. It is needless to refer to such work e.g. of Ranade, Dutt, Joshi.

#### THE DAWN OF A NEW ERA

But let me hope that we are leaving this depressing past behind, that a new era has now dawned and that the future for the cultivation of the science and the practice of Economics is more encouraging. It is a welcome sign of the times that our newer Universities have provided for post-graduate teaching and research in Economics as one of their regular functions, and University professors have been appointed to guide and control the work. The undergraduate teaching too is being made more efficient and practical. The older Universities have also begun to appreciate the importance of affording to young men opportunities for higher studies in the social sciences and training in the application of their laws to problems of national life. Few will, however, be found to doubt the inadequacy of the arrangements which most of our Universities have been able to make in this connection, and it will be readily admitted that the influence of the University and college professors has scarcely yet begun to tell on the minds and the lives of the student world and the public. Some of the Universities still continue in the old rut;

and students are able to obtain the highest degree in Economics by cramming a few books. The awakening is however, there, and the Universities, the governments and the public will have to make every earnest effort to promote this movement so essential to the best interests of the progress of the country. Secondly, we have now as University professors men who have undergone training at foreign Universities and are qualified to impart to their pupils the spirit of search for truth, of industry in collecting and marshalling facts and statistics and of scientific accuracy and integrity in interpreting them and drawing conclusions from them. The thirst for knowledge, the habit of investigation and the *penchant* for discussion, which were so characteristic of the world of learning in India in olden times, must be revived, and there could be no better means of achieving this end than the introduction of the western spirit of work in our Universities.

It is again a welcome sign of the times that to judge from the appointment of economic experts on the Fiscal Commission and the Royal Commission on Indian Currency and Agriculture, as also on the Boards of enquiry into the application of industries for protection that Government has given up its old policy of exclusion. Experience of war time and of the post-war period of reconstruction, has fully demonstrated the value of the co-operation of trained economists in solving economic problems of national and international interest. It is to be hoped that the assistance of economists will be sought in the future in an increasing measure in India to the benefit of the Government and the people of the country. At the Bombay session of this Conference ten years ago, I ventured in the course of a paper, to suggest that an economist should be regularly associated with the revenue officer periodically deputed to make proposals regarding the revised settlement of land revenue so that the problem could be thoroughly and scientifically dealt with. The suggestion did not then appeal to many, but certainly the serious troubles we have had recently relating to rents and revenue were not needed to show the importance of a comprehensive, thorough-going and systematic investigation of a question which affects the lives of large numbers of cultivators. Economists have a part to play in such matters which cannot be allowed to be exclusively dealt with by revenue and judicial officials. It is to be hoped that the business community too is beginning to realize that a knowledge of economic theory is not superfluous to the successful working of industries and trade. Recent discussion of the policy of Government in relation to currency and exchange and the claims of certain indigenous industrial enterprises to State encouragement and assistance, as also the prevailing labour unrest, ought to make this clear if it has not already dawned on the minds of our capitalists. Nor can our press and politicians afford to ignore the teachings of economic science with respect to the ideals they preach and the measures they propose for adoption by the nation. There are indications that in this regard too a correct appreciation of the issues involved is slowly but surely penetrating the quarters concerned.

#### PROGRESS IN ECONOMIC INVESTIGATION

No better index of the new economic awakening that is coming over the country can be found than the commendable efforts which are being made in the different provinces to collect facts relating to rural and urban life. Middle class budgets, the standard of living and the wages of the working classes, the different aspects of the agricultural economy, the co-operative movement are some of the subjects which are likewise engaging the attention of several, among whom Government officials are seen to take a welcome part. The papers which are read before our Conference are a significant testimony to the highly systematic and useful nature of the task undertaken in this respect by the members of our Association. Here too is essential a close co-operation of the Universities, the Governments, the professors and the public if substantial results are to be achieved. I may be permitted, without being impertinent, to pay a tribute to the high level of the scientific and practical work that is being turned out by our economists, whether they are members of our Association or not. A good deal of the outturn is indeed creditable and shows that we are treading the path of professors at the western universities. During the past few years, every part of the field has been taken up for exploration, and economic history, economic theory and practical economics have been ably handled. I shall



not mention the names of the authors as you are all familiar with them. What is now needed is the application both of the extensive and the intensive methods to the work. Research associations and study societies have been started in a few centres, and this activity required to be spread and strengthened. Our own journal is admittedly capable of improvement and our membership must considerably increase. With our limited opportunities and resources, we, who are teachers of Economics and other who are otherwise interested in the subject, must do all we can to rouse general enthusiasm for the science, make people appreciate the value of its teaching for the progress of our country and enlist the sympathy and support of Government and public alike for the cause we have espoused. There is infinite scope for our labours and it will be a number of years of strenuous effort before we can say that we have achieved something appreciable. Wherever one turns, one comes up with an economic problem—why India's immediate national future itself is one such big problem. We have to strive in the profound faith that we can usefully contribute to its solution. We must make our voice heard and must train the coming generation in the scientific ways of thought. The optimistic note traceable in the above remarks is obviously based not so much on what we are and what we have accomplished as upon what, given the will and the requisite opportunities, we are capable of achieving. It is more the promise than the performance which fills me with hope. The teachers have themselves to set an example of hard, patient and earnest work which others may be expected to copy. There are arrears to be cleared up and a fresh account has to be opened.

Now, what will be the aim, the principle and the method that we may beneficially follow in our scientific activity? The answer is fortunately available in the rich literary legacy which thinkers in the west have left to us. There is indeed a clash of opinion and a conflict of attitude which is often perplexing and annoying, and it is a notorious reproach against the economists that of all scientists, they are the people who will not agree on anything, not even on the fundamentals of their discipline. While there is some truth in this charge, a careful study and reflection will show that things are not as bad as they are painted and that a clear path is visible in the overgrown jungle of controversy. Even the natural sciences are not free from academic disputes and theoretical vicissitudes and in a social science like Economics I am inclined to regard differences of viewpoint and method as a sign of strength rather than of weakness. We, of this generation, are fortunate in being able to survey with admiration, interest and instruction the grim battles which the old schools of thought fought with one another and the successive triumphs and defeats the combatants won and sustained on the theoretical, methodological and political grounds. The echoes of these fights are certainly audible even to-day and skirmishes may be seen still going on between the adherents and camp-followers of the old leaders. The economist of to-day can, however, obtain a better perspective of things and can realize how each school and system has made its own contribution to the building up of the structure of economic science as we have it to-day. Thinkers are not wanting even now who will attempt a reconstruction of the science from the foundations to the top, on some novel principle; but the general tendency is for the leading economists to reconcile the differences and to arrive at a common understanding with regard to essentials. Dr. Marshall's influence for instance has been exerted in this direction. The battles on the score of ideals and methods have been fought mainly on the German soil and every few years an author has come out deploring and describing a crisis in the prevalent state of ideas about political economy.

#### OLD CONTROVERSIES RECALLED

The battles of the economists raged chiefly round the following questions: What is the distinguishing principle of economics as a science? Can it become an exact science in the sense in which the natural sciences are exact and are economic laws natural laws in the same sense? Has the science a goal of its own and can it pass judgments as to what ought to be and what ought not to be in accordance with its particular notion of 'values'? What is the relation of economics and social and political policy? Is the economist, as a scientist, competent to give advice as to the suitability or otherwise of theory in a certain

sphere of note of economics individualistic or organic and social? Is the acquisition of knowledge and the formulation of theory in a certain sphere of life to be the only purpose of the science or is it calculated to be a guide for action as well? The classical economists who rendered the inestimable service of founding our science, were driven to use the method of abstraction rather too much in their anxiety to discover 'natural laws', and their conception of economic society became mechanical and individualistic. The 'economic man' was the horrid product of this procedure and idea, and in their scheme there was no room for any motive or principle other than enlightened individual self-interest or for State policy, patronage and interference. A theory when it is first formulated, appears to conform to the conditions with which the author is familiar and to his own ideals and philosophy of life. So was it with the orthodox school; but it was soon discovered that their theories did not square with the social conditions as they developed in England itself; and the good of the community which was expected to result from individual liberty in exchange activities did not appear to materialize in the case of the large mass of the people.

The reaction against this atomic individualism was started by the Romanic school, led by Adam Muller, who pitted against it the conception of universalism. According to this school, economic life, which is only a part of social life as a whole, cannot be dealt with in isolation without detriment to the community. They went hammer and tongs at the capitalism, the competition and the hankering for gain which characterised the thoughts of the classical school. 'National existence itself in its totality is the true wealth of a nation'. "Each individual productive power can produce only when it is itself produced by a higher productive power. If the state ceases to produce, then cease all the smaller productive powers with it". "When it is said that a thing has value, what is meant is that it has value in relation to the whole community." These statements are typical of the propositions laid down by Muller. List's special contribution was the introduction of the idea of nationality, and relativity and his substitution of the theory of productive power for that of exchange value. The most deadly attack on the Classical school, however, came from the Historical school which condemned the former's abstract method of reasoning and its theories which appeared to be so far removed from reality. The younger historical school which succeeded the elder, while sharing the views of the latter to the full, emphasised the necessity of state interference and measures of social reform, and thus earned the nickname of "socialists of the chair". A particular philosophy of life—German Idealism—was again largely responsible for these conceptions of universalism and solidarity.

The victory of the historical school was, however, short-lived and did not go unchallenged. The Socialists had, in the meanwhile, butted in. They adopted and refined the classical theories and used them as weapons to fight the capitalistic system. Fired with the zeal of historical materialism, the socialists envisaged a future in which capitalism would be crushed under its own weight of industrial concentration, and private property would be done away with by the working classes who, suffering from low wages and poverty, would capture the whole social machine and triumphantly establish the rule of the proletariat. Their theories relating to surplus value, concentration of industry, the reserve army of labour and the final collapse of the whole industrial organisation did not pass muster with scientific and critical minds and failed to accord with facts—just what had happened to the classical school. The chief weakness of the opponents of the founders of political economy lay in the fact that while they had pulled down the old imposing superstructure of economic theory, they had supplied nothing as a substitute for it. While there was a good deal of idealism, a wealth of analysis and description of social institutions and a comprehensive programme of social reform, there was no theory and therefore no science. What was urgently needed to evolve order out of the prevailing chaos, was the revival of economic theory and the reconstruction of the science. This task was essayed by the Mathematical school, and particularly by the Austrian school, led by Karl Menger. Jevons and Walras made similar attempts independently in their own countries. The new movement spread fast and wide and secured adherents almost everywhere, though outside a narrow circle, it found no foothold in Germany. The goal which the classical economists had only partially succeeded in attaining, was effectively reached by the new school of thought, though by quite another path.

The bridge connecting men and markets, put up by the former, consisted of flimsy stuff such as value in exchange, self-interest and the cost of production ; Menger constructed it out of stronger and more durable material extracted from the quarry of the human mind viz. utility, wants and their satisfaction

#### THE PROCESS OF RECONCILIATION

Though the revival of theory and the reconstruction of the science were welcomed on all sides, economists did not build on a uniform pattern. The old feuds had not, besides, completely ceased, and the discomfited fighters repaired their wounds, polished their armours and sharpened their weapons ready for the fray again. The last twenty-five years have nevertheless been a period of reconciliation, co-ordination and understanding, and it is important to consider in what respects substantial advance has been made by economic science during this period and what solid ground has been covered by economic thought. It was at one time believed and stated that the war-time experiences and mentality would shatter Economic science to pieces and that it would then be necessary to construct the whole thing anew in the light of the happenings of the dreadful calamity. Nothing of the kind had come to pass and the science stands four square to all the winds that blow. The war indeed furnished to the economists those experiments which are not normally available in the human social laboratory and taught him many a lesson regarding the necessity of establishing a close touch between economic theory and economic politics. Extensive state control, embargoes and rationing, the breakdown of monetary standards, inflation, deflation, enormous public debts, burdensome taxation, trade boom and depression, labour troubles, cartels and trusts, widespread and distressing unemployment and Government doles, state subsidies to and protection of national industries—these and other such phenomena and measures which characterised the time of war and the post-war period, have served to illustrate the working of economic laws and have also armed the different schools of economic thought with arguments in support of their favourite theories and against their pet aversions. It is significant that even before the war the necessity of reconsidering and reshaping their own traditional system was keenly felt by the adherents of the economic schools, and this represented an attempt to reconcile theory to reality. We thus meet with so many "Neos"—Neo-Liberalism, Neo-Mercantilism, Neo-Romanticism and Neo-Socialism. Economic Liberalism is the lineal descendant of the classical system and the reconstruction of theory attempted by its representatives, among whom Cassel may be prominently mentioned, has not improved its reputation. Its theory still remains individualistic, unconcerned with the actual social conditions, and moves in the grooves of mechanical and natural law. But the fundamental ideas of Liberalism appear to have been shaken even in England, its original home and stronghold. From an exhaustive study of Liberalism and protectionism in English economic policy since the war, Dr. Leubuscher draws the following three conclusions:—The individualistic constitution of English industry, particularly manufactures, and also banks, has been increasingly replaced by an organized and centralized structure which allows no free play to competition, the pride of English economy of old, and secures a safe control of markets. Another tendency which threatens Liberal principles is the increasing importance which is being attached to the producing classes to the neglect of consumers whose interests were paramount before, which means the weakening of the insistence on a free trade policy. Thirdly, the same result flows from the claim of different groups of consumers to the maintenance of the standard of living already reached by them. The Liberal principle of individual freedom is generally admitted to be sound at bottom and what is objected to is the exaggerated Liberal idea of its efficacy almost as a universal rule of policy. It has, therefore, already had to make important concessions to the principle of solidarity. Social politics is now held to be compatible with Liberal theory within large limits. It is said that the aim and the means of 'sozialpolitik' must be distinguished. The aim is always the same viz., the maintenance of the community in health and power, guarding it against the opposition of its parts, particularly for the protection of the weaker classes such as the industrial workers. And even a theory of social politics has now been formulated.

## A CONVINCING PROOF

A convincing proof of the process of theoretical adjustment and reconciliation is provided by the efforts of the supporters of the marginal utility theory—described by its opponents as a mere play with words and deprecated as subjective, individualistic and mechanical—to fit it into the organic conception of society. Wieser recognizes with necessity of making economic theory co-extensive with social theory as exchange activities of economic life cannot be properly considered apart from general social relations of classes and groups towards one another. American economists like Clark and Seligman, who have adopted the marginal utility theory of value and used it to explain the laws of distribution, have systematically rid that theory of its narrow, individualistic import. Seligman, for instance, speaks of social marginal utility and social marginal cost. He puts man and not wealth in the forefront of his studies, and contends that in the freedom of competition and in the production of wealth not the mechanical and individual, but the social point of view must be emphasised. He also holds that the conclusions of Ethics and Economics cannot long remain in conflict as both have to deal with man as a member of organized society. The idea that individual economic activity cannot be conceived independently of its organic relation to other activities and to the whole community, receives fruitful development in the hands of the Neo-Romantic school, and the best exponent of this movement in Othmar Spann of Vienna. According to him, the individual is a 'social individual,' impenetrated in all his activities by his social character. Economic life is only a means to the larger social life, and yet is influenced by the whole. All economic problems are solved with this key of organic relationship between the whole and the parts. Following Stämmler, Karl Driel emphasises the influence of law and social order on economic phenomena. He lays down the fundamental principle of his thought in the following words:—"All economic phenomena are bound up with definite forms of social organizations. Economic theory has to explain those phenomena which make their appearance within the limits of definite organizations of economic life, held together by legal ties." Rudolf Stolzman has thrown into bold relief the sharp distinction between the natural and the social sciences, between nature and freedom, causality and teleology, and looks upon economic society as an organisation imbued with aim and purpose. The ideas of several other thinkers have moved in a similar direction and in spite of their differences with one another, they have a good deal in common.

## POINTS OF AGREEMENT

Points of general agreement, as they emerge out of recent discussions, may now be noted.—Economics as a science has its province well marked out; it deals with one aspect of social life which is related to the efforts of men to satisfy their wants. The distinguishing principle of economic activity is the general principle of rational human conduct, the principle of minimum of sacrifice. This principle is however, applied by the individual within the limits of a community and as its organ, and subject to its laws, ethics, usages and traditions. Economic life is nothing preordained, natural and rigid, and we cannot scientifically treat it in terms of quantity only. The science of economics, dealing with such life, has no ideal of its own to preach, but its theories which are based upon historical and contemporary events, are calculated to show how the social ends that are proposed may be most efficiently attained. Thus are kept apart the provinces of economics and ethics as sister sciences, as the mixing up and the overlapping of the two does not make for the scientific treatment of problems. It cannot, however, be forgotten that though Economics has no ethical judgements to offer and must not tread on the domains of sociology and politics, which are separate disciplines, it cannot ignore the intimate relation of these two to itself and the influence of social and political conditions upon economic life. Hence the preference shown by many authors to the name social, national or political economy over economics. This terminology brings out the radical distinction between Economics and the natural sciences with which it got confused in the hands of the classical school. Apart from the fact that we can speak of the art of Economics, political economy is a practical science not only in the sense that it bases its generalisations on facts of actual life, but on the consideration that with

theories must throw light on the efficacy of measures which are proposed. It must thus deal with dynamic as well as static social conditions. The economist is, therefore, compared to a physician who, on carefully considering all the circumstances relating to a patient's complaint, suggests what are, according to him, the most suitable remedies to combat the illness. Measures of political and social reform may, in this way, be judged from the point of view of economic science, and economic judgments may be offered. The self-denying ordinance proposed for the economist that he must strictly confine himself to the study of what is and the discovery of the laws by which it has so become and must never venture to overstep the boundaries to say what will be or ought to be, appears to be ill conceived and unnecessary. It is not enough to know the why and the how of things and a knowledge of the whither also is essential. The restrictions suggested will render economics sterile and useless and will make of it nothing more than logical gymnastics.

When the mechanical and individualistic conception of economic life is abandoned, it follows that our science has to take adequate account of the mutual relations of different classes and the equilibrium of various forces in working out its theories. Certain activities may be beneficial to the private interests of particular individuals and classes and at the same time injurious to the interests of others, and the Government, representing the community, has to set matters right. This is indeed the origin of all labour and other social legislations. The nation organized as a State, is the largest social unit which is bound by ties of rights and obligations and by duties and sacrifices, and if the equilibrium is seriously disturbed by the action and reaction of forces from within or without the community. Government alone can rectify the balance. Men and nations can modify and improve their condition indeed within certain limits prescribed by nature, but they are not the slaves of the latter, which can be resisted and moulded by organized effort, as the history of the Western world demonstrates. List's theory of productive power and his tariff for national uplift receive their best support from these considerations. To speak of world economics and cosmopolitanism in this connection is as unmeaning as to rely on the self-sufficiency of individualism. For the convenience of detailed study we may divide our discipline into pure economy, individual or private economy, State economy, national economy and world economy. But the economy of the most vital importance in the world as it is politically constituted to-day is national economy. The doctrines of economic science are expected to cover all these branches or phases, and it is now generally agreed that there is no world economics comparable to national economics. We hear now-a-days people speaking (and acting) in terms of nationality and empire in economic affairs: and empire products, imperial markets, imperial preference and inter-imperial migration, are concerned with political policies actually worked out. There is indeed the risk of an economic scientist turning out a party politician and a worse economist. But this description carries condemnation on its very face. If economists are not to give expert advice, what do they exist for and what is the meaning in our insisting that their co-operation should be sought by Government in investigating and solving social problem? Western nations recognise the value of the services of their economic experts.

#### Economic Practice in India

Now, what has been the trend of economic thought practice in India during the last few years? It will be found, on a little reflection, that the movement, though slow, has been, consciously or unconsciously along the lines sketched above. Ideals and policies in this country were at first, under the powerful influence of English orthodox opinion represented by Ricardo, Mill and Fawcett; but Indian thinkers soon broke loose from its grasp, and the revolt is best illustrated by Ranade's masterly exposition of Indian Political Economy. The lead has proved effective. Government in India has, for years recognised its function of correcting the disturbed balance of social forces by legislating to protect the ryot against the sawkar, the agricultural against the non-agricultural classes, the tenants against the landlords and the workers against their employers. But it hesitated to pursue the same policy in relation to the forces of disturbance coming from outside. Max Weber has said that economic organisation

is fundamentally rooted in politics, and must, in the last resort, be explained through it. J. M. Keynes showed how the British Government and Parliament brought depression on British export industries by their exchange policy of artificially restoring the normal rate in the middle of 1925; and a similar complaint has been made against Government in this country also with regard to the exchange ratio. During the last few years at least four important public inquiries have taken place in India in relation to questions of great importance, and certain changes which have resulted from them, may be attributed, in no small measure, to the political influence of the Indian legislature. The Fiscal Commission recommended the adoption of a policy of protection and the abolition of the cotton excise duties, and Government accepted a radical alteration in its traditional economic policy. As an outcome of another enquiry, the principle of direct Government management of State railways had to be adopted, though it had been declared to be un-economic. The Currency Commission condemned the gold exchange standard as utterly unsuited to the peculiar conditions of India though it failed to give sufficient weight to such considerations on the vital question of gold currency and the exchange ratio. The Royal Commission on Agriculture has made one very striking observation which goes to the very heart of the matter we are dealing with here. Declaring that the most important factor making for agricultural prosperity is the outlook of the peasant himself and that the success of all measures designed for the advancement of agriculture must depend upon the creation of condition favourable to progress, the Commission maintains :—"The demand for a better life can, in our opinion, be stimulated only by the deliberate and concerted effort to improve the general conditions of the country side, and we have no hesitation in affirming that the responsibility for initiating the steps required to effect this improvement rests with Government." It proceeds to state that the failure to grasp the full significance of the proposition explains the absence of any co-ordinated effort to effect the required change in the surroundings and the psychology of the peasant without which there can be no hope of substantially raising his standard of living.

#### Piecement Handling of Economic Problems.

This frank and emphatic statement of the Royal Commission furnishes the key to a correct understanding of the large problems of Indian Economics—a terminology which, by the way, is still found perplexing by some thinkers in this country—and apart from their narrow aspect of immediate political expediency, controversies in connection with such questions as those of the Reserve Bank, reservation of coastal trade, purchase of Government stores, railway rates and the investment of foreign capital in India, are not likely to be intelligible in their economic bearings without its help. We have long played hide and seek with our problems. Consider again the condition of the Indian peasantry. The revenue authorities study it from the restricted point of view of taxation and rent, and Ricardo's theory of rent is used or misused in the process. The Irrigation department must be run on a commercial basis and is concerned with the income from water-rates to be charged to the cultivator. The Forest department has its own rules to enforce on the peasantry, surely in the best interest of the nation's valuable property. The Agricultural department wants the ryot to adopt improved methods, and co-operators urge him to join their movement, both with the idea of increasing his income, a good slice of which is, however, taken away by the Indian Finance Member through his exchange policy. The Government and the legislature propose to consolidate his holdings and prevent fragmentation. The local board wishes him to pay higher rates to be able to enjoy greater amenities of life and Government can not do without more money coming from the same source. The advocates of khaddar preach to him the virtues of the charka. And the sawkar is all the while there watching the whole game with interest and curiosity. The problem is thus handled piecemeal, the friends of the ryot play at cross purposes and no body knows exactly how the agricultural industry and the peasant stand economically. It is hardly realized that no amount of research on crops, fertilizers and pure seed—things valuable in themselves—will improve the condition of the peasantry until we study the ryot as a whole as well as in parts,

# Commerce and Industry.

## Bombay Indian Chamber of Commerce.

Mr. L. R. Tairsee made an important announcement at the annual meeting of the Bombay Indian Merchants' Chamber at which he presided on the 26th January 1929. He declared that the Bombay Port Trust were about to effect a reduction amounting to several lakhs of rupees in the port charges. This, he added, was in answer to the demand of the Bombay merchants who were convinced that the heavy port charges of Bombay were one of the serious causes of the diversion of trade to the neighbouring ports. Mr. Tairsee referred at the outset of his address to the labour situation in Bombay, and declared that labour and capital stood as the Pandavas and Kauravas did at Kurukshetra. Manifestations of the Labour movement in the country pointed but to one conclusion, namely, that Labour wanted to be the boss of the situation and oust capital from the control of industries, a position which could not be accepted both in the particular interest of the industries and in the general interest of the country. Mr. Tairsee saw in industrialism the only way of removing the poverty of the people, and appealed to the leaders of Labour to exert their influence to prevent violence and to the commercial magnates to devise ways whereby industries of the country might be carried on rational and national lines.

Turning to the Coastal Reservation Bill, Mr. Tairsee contested the remarks of the Viceroy that there was no precedent in the British Empire for legislation which would reserve coastal trade. Mr. Tairsee declared that Great Britain herself had her own navigation laws for over 200 years which not only enabled her to develop her own mercantile marine, but largely helped her to regain supremacy at sea.

As regards the profits of coastal trade which had been represented to be moderate, Mr. Tairsee pointed out that the British India Steam Navigation Company during the past 67 years never paid less than 7 and half per cent free of income-tax on ordinary shares, and during the last five years 8 per cent after writing down drastically the value of the fleet and after providing for contingencies.

With reference to the banking enquiry Mr. Tairsee suggested that before a new commission or committee was appointed, there should be a preliminary survey undertaken to collect the relevant facts and figures so as to provide a basis for enquiry.

## Calcutta Indian Chamber of Commerce.

Presiding over the annual meeting of the Calcutta Indian Chamber of Commerce on the 15th February 1929, Mr. Faizulla Gangjee, Chairman said that India being predominantly an agricultural country, the main interests of her trade centred round raw staples. They had been hearing for many years and vehemently for the last two or three years that the salvation of India lay in the relief afforded to the teeming millions of agriculturists. Lip service of this kind had been profuse; but the agriculturist was not yet able to purchase his necessities and supplement his half-ration, because, forsooth, the banks doing business in India did not allow credit facility.

Reviewing the general monetary condition in 1928, Mr. Faizulla Gangjee said the Government announced the floatation of a sterling loan of 7 and half millions. No adequate reason was forthcoming at the time for this unexpected borrowing in London; but it was vaguely hinted that it had something to do with the Reserve bank scheme which was then under the consideration of the Central Legislature. For his part, the chairman could confidently say that the sterling loan had nothing to do with Reserve bank proposal. It was merely the last refuge of the Government to retrieve their cash position in regard to the Home Treasury, a position which had been created by their own monetary policy. Even after the floatation of the sterling loan, the Government kept harassing the market with their sales of treasury bills. The slack condition in the monetary world was availed of for launching a new rupee loan to the amount of 35 crores for which applications were invited both by conversion and by cash. With great difficulty, and Mr Gangjee had reasons to think after a personal appeal made by financial authorities to the ruling chiefs and others of the same ilk the loan was announced as completed.

## THE PUNJAB CHAMBER OF COMMERCE

He used the words "announced as completed" advisedly. It had been freely expressed in the public press at the time that there was some kind of a snag somewhere in this new loan business. The new loan was fully subscribed but the cash balance of the Government bore but little mark of all this new cash, nor indeed did the cash of the Imperial Bank show any appreciable bulge. It was therefore found necessary to commence sales of treasury bills almost immediately the list for the new loan was closed.

Criticising the Government's policy in regard to the resumption of sales of treasury bills, Mr. Gangjee said that although nearly ten crores were secured by the policy of frantic borrowing at fantastic rates, the cash position of the Government continued to be precarious; and the old year closed with the rumours of an impending sterling loan, rumours which materialised in the first week of the new year. On the whole, the year 1928 was a period of general deterioration of the credit of the Government of India both at Home and abroad.

As regards the future, Mr. Gangjee said he had for his part no optimism mellowed or unmellowed. On the other hand, he was a confirmed pessimist; and he believed that no earnest student of Indian finance could be but so. He did not see so much as a silver lining in any portion of the horizon. Trade would continue as depressed as now, and the country would groan under serious difficulties so long as the monetary credit, currency and financial policy of the Government did not take note of what was required in the sole interest of India and India alone.

Referring next to the impending banking enquiry, Mr. Gangjee said the enquiry, as such, whether by a committee or by a commission, would be of no real use unless there was the right will and determination to make this enquiry serve the direct and complete purpose, that is, of creating complete Indian banking autonomy.

Mr. Gangjee concluded: The banking facilities available to-day are totally incommensurate with the requirements of India which, I dare say, is not a country, but a Continent. In the place of these poor banking facilities, what we want and want urgently is the creation of complete and comprehensive banking autonomy—an autonomy which will be thoroughly national—Indian in outlook, Indian in policy, Indian in personnel and Indian in management, and determined to play an important part in the industrial, economic and agricultural regeneration of this country.

## The Punjab Chamber of Commerce.

At the annual meeting of the Punjab Chamber of Commerce held in New Delhi on the 11th April 1929, Mr. P. Mukherji, Chairman of the Chamber, reviewing the trade conditions of the past year, said that the piece-goods trade of Delhi was still in a depressed condition with no prospect of improvement in the current year. Although the conditions at Amritsar had not been too bright, the outlook for the future was regarded as hopeful. It was interesting to note, however, that the present foreign cloth boycott movement was not affecting in any way the local sales, though imported fine materials had received a slight check. There had been a decided slump in the manufactures of local mills, and also in the carpet-weaving industry, the conditions of which still remained uncertain. The market for hides and skins remained steady, and normal throughout the year.

Referring to the general conditions in the country, Mr. Mukherji welcomed the announcement regarding the Banking Enquiry Committee, and hoped it would lead to the inauguration of the Reserve Bank when the existing agreement with the Imperial Bank expired. He hoped that the question of the constitution of the Central and Provincial Committees would be guided by no other consideration than that of competence.

In welcoming the appointment of the Labour Commission, Mr. Mukherji said that his Chamber, representing the employers, fully realised the importance of keeping labour as much contented as possible. But at the same time capital could not entirely act as a philanthropist: for this would mean forsaking business methods. The claims of Labour should, therefore, be delicately balanced with the capacity of the capitalist to bear the burden, particularly in a period of industrial depression. Industrial concerns had not reached the stage of western development when they could bear an increased burden of taxation. The level of taxation in India was already high and it was disquieting to hear from the Finance Member that there was a possibility of fresh taxation. A similar warning had been repeated by the Delhi Municipality in order to balance their deficit budget. Mr. Mukherji suggested both to the Government of India as also to the local Municipality to pursue a policy of retrenchment. He welcomed the further reduction of ten per cent in the coal freights, but regretted the delay in giving effect to the announcement. He suggested that the best course was to refund to consumers the amount of difference from 1st April until such time as the coal tariff was published.



Mr. Mukherji next referred to the question of shortage of coal wagons and said the position to-day was very much improved. He, however, felt that some scheme should be devised for the future so as to afford relief to industries in distress by special allotment of wagons. He thought that it would be advisable for the Chief Mining Engineer of the Railway Board to be guided by recognised commercial and industrial associations as was the case some years ago.

The much discussed topic of "discriminatory legislation" was next referred to, and the Chairman felt that the right solution lay in a spirit of co-operation and goodwill. He held that frequent Conferences between the Associated Chambers of Commerce and the Federation of Indian Chambers of Commerce would promote a common understanding, for, after all, the interests of trade and commerce were largely common and on the furtherance of the same depended the material prosperity of the country.

Proceeding, Mr. Mukherji said that the portion of the country to which the Chamber's activities extended was chiefly agricultural. He therefore welcomed the acceptance by the Government of the important recommendations of the Agricultural Commission. It was also gratifying to note, he said, that the Punjab Government had allotted a 34 per cent larger grant to agriculture in the current budget. In conclusion, Mr. Mukherji dealt with the current political questions in India.

Referring to the Chamber's memorandum to the Simon Commission, he said that special emphasis had been laid on the need for adequate representation of commercial interests in the future constitution of the country. The claims of Northern India commerce were not recognised in the Central and Provincial Legislatures. In this connection Mr. Mukherji explained why the Punjab Chamber did not subscribe to the memorandum submitted to the Simon Commission by the Associated Chamber of Commerce. While the Associated Chamber recommended autonomy in the Provinces with more restriction of popular control in the Central Government, the Punjab Chamber advocated provincial autonomy with reservation of Law and Order as a central subject and more popular control in the Central Government. Mr. Mukherji said they were not swayed by political considerations. As a business enterprise, they felt that the Government should allay popular discontent and thereby ensure peace which was so badly needed in India.

Lastly, Mr. Mukherji made a fervent appeal for the extension of the Delhi Province and said that when the principle of responsible Government had been enunciated and accepted, it was inconceivable that, while other parts of the country were being given responsible Government, the people of Delhi should be denied the privilege on grounds which did not hold good to-day.

## Southern India Chamber of Commerce.

Presiding over the 19th annual general meeting of the Southern India Chamber of Commerce held in Madras on the 6th March 1929, Mr. Abdul Hakim, the retiring president, referred to the exchange rate and the consequent impoverishment of the country, particularly of the masses. He added that propping up the exchange by deflation and by raising loans had only put off the evil day on which a crash must come when the restraining hands were removed. He was glad that there was a definite move on the part of the Government of India for the appointment of central and provincial committees to enquire into the banking facilities.

He regretted that in the Railway Member's speech there was no enunciation of any forward policy. The existing policy of the railway systems was not calculated to improve the trade and commerce of the country and he urged a radical change in the policy for the improvement of indigenous industries.

Concluding, he referred to Mr. Haji's Bill and said that the vested interests, who all along had had an undisputed sway, must meet them half-way and cooperate when the country had awakened to its own interests and desired to safeguard them. He hoped the Assembly would pass the Bill for the abolition of deferred rebate.

The annual report was next adopted and Mr. Jamal Mahomed was elected president of the chamber for the ensuing year.

## The Bombay Chamber of Commerce.

Presiding at the annual meeting of the Bombay Chamber of Commerce on the 5th March 1928, Sir Hugh Cocke, the retiring chairman delivered a speech dealing with a number of topical problems.

Referring to the memorandum of the Associated Chambers presented to the Simon Commission, he said that for the prosperity of trade and commerce a strong and stable

Government was essential. One could not but be struck by the anxiety of the representatives of the European Chambers to give Indians a substantial measure of advance towards self-government subject to reasonable safeguards. He thanked Sir John Simon and the Commissioners for the great and difficult work they were undertaking.

After referring to the Meston settlement, which he described as iniquitous, Sir Hugh surveyed the progress of India since 1918 and drew the conclusion that fair improvements had been attained in most directions. With the continuation of stable and peaceful conditions throughout the country there should be no looking back.

Dwelling on the textile industry and labour troubles, Sir Hugh Cocke said that if the Bombay mill industry continued on its downward course of depression and unrest no one could forecast to what state it might be driven. He strongly supported the Public Safety Bill and the Trade Disputes Bill as necessary measures.

Referring to the Coastal Reservation Bill he said that if the Bill was passed there would be a loud outcry before long against the high freights which were certain to arise. The practical questions for the trader and the public were whether India was prepared to pay the price of establishing a mercantile marine and would India succeed in the administration and running of merchant shipping on a large scale. History showed very few countries had been successful in establishing a permanent and profitable mercantile marine.

#### Governor's Speech.

Sir Frederick Sykes, Governor of Bombay, addressing the Chamber congratulated Sir Hugh Cocke on the honour conferred on him for his valuable public services. He said it would become more and more necessary for the representatives of commercial firms to take their share in public work in these days. It was hardly necessary, he said, to emphasise the interdependence of commerce and Government. Just as trade and commerce depended upon Government to maintain conditions of stability and security, so was Government dependent for finance and even for its solvency on the prosperity of the industrial and mercantile world. It was most remarkable, he said, that while it was heard on all sides that the trade was bad and that it was passing through a period of depression there had been during the last ten years fair and, in some cases distinct, improvement in Indian trade, industry and finance. There was, therefore, reason to hope that when this period was over, of which encouraging signs were not wanting, the progress of India would be even more remarkable.

Continuing His Excellency said : ' It is sometimes suggested that India has been impoverished by British rule and British commercial enterprise and some critics have gone so far as to suggest that this has been wilfully done. But the figures quoted by the president of the chamber today, disprove the former proposition. It should indeed be obvious to any person of experience that it is far better business to trade with a rich country than with a poor one and without claiming any special merit on this score your chamber must necessarily in its own interest, be chiefly anxious to see to a peaceful and prosperous India and willing to work for that end. The problem of India is, indeed, to a great extent an economic one. There is no doubt that much of the discontent we see around is due very largely to the unsatisfactory conditions of work and wages and that this discontent is being exploited with objects in some cases inconsistent with the welfare of the working classes or of the community as a whole. From this it follows that the measures that can be taken to increase the productive capacity and wealth of the country will tend to make the conditions for the spread of subversive doctrines even less favourable than they are to-day. It is perhaps mainly in this direction that the knowledge and experience of the commercial community can be of the greatest value to Government.'

## The Bengal Chamber of Commerce.

The annual meeting of the Bengal Chamber of Commerce was held on the 22nd February 1929 at the Royal Exchange, Calcutta under the presidency of Sir George Godfrey.

The President in course of a lengthy speech reviewed the work of the past year and said that the financial position of the Chamber was very satisfactory. He referred to the Grand Trunk Canal project and said that the attitude of the Chamber for many years had been strongly in favour of the construction of the Canal. He pressed strongly for an early action and remarked that the shutting off of the river traffic of Eastern Bengal and Assam from access to Calcutta would be a disaster to the commerce. While fully appreciating the opposition that the canal scheme had met with on the ground of its expense he could not believe that the opposition would continue in the face of the indications that the Sunderbans route was doomed.

Referring to the Simon Commission the President said that all Chambers were agreed upon the necessity of a great advance towards provincial autonomy and it was difficult for him to appreciate that that advance could be effective if the police force of a province were to be entirely removed from the charge of a Minister with a seat in the Cabinet. The administration of a provincial police force by the Central Government was recognised by most people as impracticable and administration by the Governor of a province was not likely to be acceptable to any Governor and was obviously open to very strong constitutional objections. The difficulties that loomed before them in regard to India were mainly based on the fear of communal outbreaks and communal favouritism or vindictiveness and to overcome these difficulties adequate safeguards for the administration of Police were required. It was the defining of these safeguards that was the chief obstacle to finding a solution of this difficult problem. Possibly a Committee sitting with the Minister might be a solution. They as a Chamber of Commerce were perhaps more deeply concerned in the protection and safeguarding of their trading rights involving a principle upon which they took up a firm and very reasonable attitude.

Speaking on the railway wagon supply, the President said that the railway position which had developed within the last few days was giving them considerable anxiety. A few weeks ago they were troubled with the expectations of some fiasco in regard to the supply of wagons. He feared the fiasco was on them now and in few days the whole port of Calcutta might be empty of bunker and their mills and factories might be shutting down for lack of fuel. Never in his experience had he seen a gloomier outlook.

## The Bengal National Chamber of Commerce.

Presiding at the annual meeting of the Bengal National Chamber of Commerce held in Calcutta on the 30th April 1929, Raja Bishee Chandra LAW said that he was fully convinced that in spite of all arguments against State interference in private enterprise, the salvation of industry and the solution of industrial problems depended on a good deal on Governmental interference. The burden of income-tax and super-tax was doing incalculable mischief to the development of industries in India, but successive Finance Members struggling in the quagmire of committees and commissions could ill-afford to loosen that grip on the income-tax. Referring to the Meston Settlement, he said, that the Statutory Commission had, however, this time as advisor a financial expert. It was hoped that the Meston middle would not be repeated again. They had been protesting against the inequity of the Meston Settlement and had at last found a stout supporter in the present Finance Member who very ably proved before the Simon Commission that Bengal which of all provinces had been hardest hit under the Meston Settlement justly required immediate relief. They could not but repeat once again that the jute duty, purely a Bengal revenue, arbitrarily appropriated by the Imperial Government should be made over to Bengal. Referring to the recommendation of the Agricultural Commission for a committee to watch the interests of jute trade, the Raja remarked that jute was practically a monopoly of Bengal. Her varied interests demanded that Bengal should have a controlling voice in the committee.

Coal industry was practically on the verge of collapse. Indian section of the coal trade had approached the Government with the proposal for levy of a cess like tea cess for propaganda work for large use of soft coke for domestic purposes. The Government should agree to allow a special reduction in railway freight on coke wherein alone the success of the campaign could stand. Happily, there had been just a little improvement in the position due to lessening of inland freight and reduction in the output of Government collieries. It was a matter for regret that at an opportune moment the industry was to be faced with wagon scarcity.

Mr. W. C. BANNERJEE, a coal merchant, regretted that representations to the Government to put coal on a satisfactory basis had gone unheeded. It was certainly an unnatural state of things which made it possible for coal from South Africa to be sold at a price cheaper than Bengal coal in the Bombay market. Coal trade verged on collapse. Many collieries had been compelled to shut down for no fault of theirs involving thousands in ruin. He said it was notorious that foreign banks seldom helped Indian enterprises. If indigenous banking system was abolished now, it would spell ruin to their industrial future. He pressed the claims of the Chamber for representation on the enquiry committee.

Mr. K. C. ROY, invited to speak, appealed to the members to support the banking enquiry though he was disappointed with the personnel of the Central Committee. He asked the House to have confidence in Sir George Schuster, the gifted Finance Member, but said they should insist on proper and adequate representation of Bengal. He would welcome a committee based on territorial consideration, the interests of Bengal being most paramount. Proceeding, Mr. Roy said that the Chamber was lucky in its nominee to

the League of Nations. The most important work of vital issues touching India was done in the League Committees where India was not represented. In conclusion, Mr. Roy hoped the Government of India would give due recognition to the activities of Bengal and the premier commercial body of the province.

Mr. Nalini Ranjan SARKAR, reviewing the trade position, remarked that the year 1928-29 has shown 18d. ratio, though placed on the throne, was in a sense still in the dock. Events in the world of international finance bear witness against it. It was an undisputed fact that currency authorities felt it necessary to keep their hands on monetary screw in order to keep the exchange at the required level.

### Report for the Year 1928.

The report and accounts for 1928 were next adopted.

It was stated in the report that during the year the Chamber felt very keenly the absence of a representative in the Legislative Assembly as the term of the last representative had expired in 1928. It was hoped that when the constitution would be revised as a result of the report of the Simon Commission, the claims of the Chamber would be considered and recognised.

During the year, Mr. B. Chakravarty and Mr. S. C. Sen continued to represent the Chamber in the Bengal Council. But Mr. Chakravarty who represented the Bengal National Bank in the Chamber ceased to be a member after the bank had gone into liquidation. Mr. Chakravarty, who was then a Minister, was requested to resign in order to afford an opportunity to the Chamber to be represented by one of its own members. It was regretted that Mr. Chakravarty did not resign the seat nor did the Government of Bengal move in the matter when requested by the Chamber.

The year under review was not favourable to the revival of trade and commerce. The jute industry had a very bad year and it was seriously considered by a section of the mercantile community if it was not suffering from over-production. The Chamber, however, concurred with the Agricultural Commission that a central jute committee be formed forthwith and be financed by an annual grant of Rs. 5,00,000.

The Chamber was next invited to express its opinion on the various pieces of legislation proposed to be enacted in the country. The Chamber held that the centralisation of the administration of shipping and navigation in India was opposed to the spirit of decentralisation and provincial autonomy and no case had been made out for depriving the provinces of their control over the ports. The divergent conditions prevailing in the ports made an uniform system of control unfavourable to the Indian ports.

Mr. N. M. Joshi's Bill to amend the Indian Penal Code with a view to place unrecognised labour groups on a par with registered trade unions so far as their legal status was concerned was opposed by the Chamber, as in their opinion the probable immediate effect of the legislation would be an outbreak of labour unrest resulting from the frenzied enthusiasm of irresponsible labour leaders.

The Chamber gave their earnest consideration to the proposed restriction of import and manufacture of vegetable *ghes* and supported heartily any stringent measures taken for the purpose of preventing the adulteration of pure *ghes*.

The committee of the Chamber were of opinion, on grounds of economy, that cast iron used for heating buildings and other domestic purposes should be exempted from the operation of the Indian Boilers Act.

The Chamber after full consideration were in full sympathy with the objects of Mr. Haji's Coastal Traffic Reservation Bill, but preferred a programme of ten years instead of five which period the Chamber regarded sufficient for foreign companies to adjust themselves to the changing conditions. The Chamber also approved of the object of the Bill further to amend the Indian Steam Vessels Act.

The Chamber, after full consideration, opposed the granting of protection to the oil industry and urged that Government should on no account make it possible for oil companies in India to take advantage of an oil war between two foreign companies because they were confident that protection granted to them would create a great hardship to the people of this country and seriously handicap small industries.

### The Bombay Mill-Owners' Association.

At the annual general meeting of the Mill-owners' Association held in Bombay on the 12th March 1929, Sir Jehangir Petit, the outgoing Chairman, reviewing the position of the cotton mill industry in 1928, said that the partial advantage gained in 1927, though purely adventitious, soon disappeared owing to the unsatisfactory condition of the

cotton, cloth and yarn markets. Though in local cottons since September selling was very cheap, manufacturers could not take advantage of the drop owing to the unprospered general strike. The principal benefit of cheap cotton went to Japan and Italy. The position of the yarn market continued to be unsatisfactory and that of cloth during the year was seldom active.

The Trades Disputes Bill was supported by the Association, subject to the proviso that the powers should be brought under operation only when all direct negotiations for mutual settlement of disputes had been made and had failed. They were also in favour of special provisions for controlling picketing.

The outgoing Chairman regretted that the Maternity Benefits Bill was accepted by the Bombay Legislative Council, in spite of the opposition of the Government and those having first-hand knowledge of the conditions prevalent in factories. He asserted that under the provisions of the Bill, there was a danger of the industry being called upon to contribute the whole cost for giving maternity benefit to woman operatives. The procedure was unheard of in any other country of the world except Russia. Many recommendations of the Tariff Board for the reduction of the production cost had been already carried out. They were now negotiating for reduction of the municipal assessment on mills and of electric charges.

They were earnestly hoping that the Trade Commission's report would not be pigeon-holed in some remote corner of the Delhi Secretariat. The attitude adopted by the Government of India regarding James Finlay and Company's offer of establishing a combined bleaching, dyeing and printing factory near Bombay with Government financial assistance, he said, was very disappointing, in view of the fact that even the Trade Mission had given unequivocal support to the Tariff Board's finding that such a factory in Bombay would undoubtedly accelerate the progress of India's exports in bleached, printed and coloured piece-goods. The Committee, he said, were determined to ask for the necessary protection to the industry even to the halting extent recommended by the Tariff Board.

Referring to the general strike, the out-going Chairman expressed the hope that the Fawcett Committee's findings would be loyally accepted by both sides and given a fair trial. He said that there were clear indications that those controlling the Labour movement and claiming to speak on its behalf were not always acting to benefit the labour, but with the ulterior objects of disorganising the entire industry, destroying capital, embarrassing the powers-that-be and of creating chaos throughout the country. He warned them that if this process continued, concerted measures would have to be thought out not only be those engaged in the industries, but also by all sober and thoughtful element of society to stamp out the movement.

Mr. H. H. SAWYER, Deputy Chairman of the Association, speaking on other matters relating to the industry said that the mutual insurance system which was at present in operation regarding the Workmen's Compensation might be extended so as to embrace general fire risk on mills who were members of the Mill-owners' Association.

Mr. H. P. MODY, next year's chairman, urged the abolition of the town duty on cotton and the appointment of Trade Commissioners for India at Monbasa, Alexandria and Durban which was long overdue, for the expansion of the exports market. He welcomed the Finance Member's assurance of assistance to the cotton mill industry, but took exception to the Finance Member's remarks that cotton mills suffered because instead of husbanding a portion of their profits as reserves during the boom period they had distributed them to shareholders. He pointed out that the average distribution of dividends by the Bombay mills during the last ten years, including the years of abnormal prosperity, had been no more than 6 and half per cent calculated on the real capital sunk. Concluding he said: We do not deny we have made mistakes, but we console ourselves with the reflection that our record compares very favourably with other industries and organisations. If it were not too presumptuous I would invite comparison even with the Government of India. I have thought it necessary to give this reply because the issue of protection so vital to the industry is apt to be obscured by the generalisations such as the Finance Member unfortunately allowed himself to adopt without scrutiny.

### The Indian Mining Federation.

The annual meeting of the Indian Mining Federation was held in Calcutta on the 27th February 1929. Mr. A. L. Ojha presided.

Mr. Ojha in course of his speech said:—"The coal trade, it is thought, is now turning its worst corner and the process of recovery from a long period of depression is supposed to be in sight, if not definitely in operation. I am not one of those who

consider the future of Indian Coal trade as doomed. But so far as the present signs of recovery are concerned, I feel I must refuse to cherish any buoyant feeling. The prices, of late, have no doubt slightly hardened but the hardening may, after all, prove to be purely temporary spurt. The stocks at the pit's mouth have never been so low in the recent years as to-day and with a brisk shipment and unabated internal demand, it is easy to explain the slight strength in the market that had recently resulted. But in my view the chief problem of the trade remains yet unsolved.

Asking apology for official steps Mr. Ojha said :—

"Much has been said in the recent years of the ill-advised official action having blighted the career of coal trade. A growing export market was killed and large amount of public money has been spent to restrict the most valuable internal demand of the trade. I do not wish to minimise the seriousness of injury once done and still being done by these official measures. But I hope to be pardoned if I say that at least some amends have been made for the errors of the past."

Then he goes on to state the "amends."

Then referring to the mining of second class coal, Mr. Ojha said :—

"I am aware, gentlemen, those of us who are mining second class coal have had special problems to solve. An identical transport cost in respect of coals that qualitatively vary—that is the essence of our trouble. How I and you would wish that the structure of the Indian railway rates was adjusted to the varying qualities of coal—that lower freights were payable by lower grade coals in comparison with the higher grades. Obviously second class coal cannot bear the same rail freight to Lahore as the selected Jharia under normal trading conditions. A practical shape to this reform of railway rating was given by the Federation when it suggested that the freight on domestic coal should be discriminated from that on industrial coal and the former should be maintained lower than the latter. It is unfortunate that the Government could not yet be induced to see the wisdom of the proposal. But I trust that wisdom will not be very late to dawn."

Continuing, he said :—

"Speaking of the second-class coal I cannot help referring to the undue public bias which it labours under. I may be pardoned for my frank expression of view that consumers are amazingly ignorant of the economic use of coal. Buyers swear by Disbergarh; selected Jharia sounds like a charm. But little is thought that second class coal—the untouchable in the trade—can serve the consumers quite as well, particularly when they have installed Lancashire Boiler or Boilers with forced draught. I voice my grievance most keenly against Indian firms. For, as it seems to me, while some of them are always appealing to patriotism, they themselves are seldom appealed to by this sentiment.

"In a year of incessant labour trouble in various industries, it has been our particular good luck that the labour position in the coalfields was completely undisturbed. I take this fact as a compliment to the good sense of both the employers and employed in the coal industry.

"To those estimable and well-meaning gentlemen who are constantly egging on the labour to assert their extravagant claims against the employers, I have but one word to address. Communal sense has been maintained in India for centuries not by assertion of the right of one class against another but by the discharge of mutual obligations among different limbs of the society."

Concluding, Mr. Ojha said :—

"Since the war, the problems of current economics have assumed a new importance. The process of our economic transformation has been suddenly accentuated. Public opinion has failed to keep pace with the rapidity of the movement. The result has been unfortunate. There has been endless suspicion at the new industrial movement; those who have benefited by protection have been jealous of giving it to others; industrial interest has been cut against by political bias; in one word a welter of conflicting interests and ideas have filled the canvas of our economic politics in the recent year.

"I suggest that an Indian Economic Council on the lines of German Federal Economic Council may be constituted for a better adjustment of our new and rapidly changing economic life. It should represent all industrial interests besides admitting a few spokesman of consumers and non-industrial occupations. Such a body by advising on specific economic questions and initiation measures of economic bearing may serve incalculable good to the country."

# British India and Indian States.

Jan.—June 1929.

## The Butler Committee Report

The report of the Indian States Committee, otherwise known as the Butler Committee, which was signed on the 14th February 1929, was presented to the British Parliament on the 16th April 1929 and simultaneously published both in England and India. It is a short unanimous report of 52 pages signed by Sir Harcourt Butler, Mr. Sydney Peel and Mr. W. S. Holdsworth. The report is divided into five sections of which the following is the Committee's own summary :—

"There are two Indias under different political systems, British India and the Indian States. The latter differ so greatly among themselves that a uniform treatment of them is difficult, if not impossible. Treaties, engagements and sanads, where they exist, are of continuing valued force, but have necessarily been supplemented and illumined by political practice, to meet the changing conditions in the moving world. We have traced and analysed the growth of British Paramountcy, though it has already lost and should continue to lose, its arbitrary character in full and open discussions between the Princes and the Political Department. But it must continue to be paramount, and therefore it must be left free to meet unforeseen circumstances as they arise.

"We find that the relationship between the Princes and the Paramount Power, has, on the whole, been harmonious and satisfactory. No practical proposals for new machinery have been placed before us ; but we have indicated the changes in procedure, based on experience, which should lead to the removal of grievances and the settlement of outstanding questions. In particular, we recommend that the Viceroy and not the Governor-General-in-Council should in future be the agent of the Crown in its relations with the Princes and that important matters of dispute between the States themselves, between the States and the Paramount Power, and between the States and British-India should be referred to independent committees for advice.

"We have suggested methods for recruiting and training officers of the political Department to which we attach great importance. We have indicated the ways of adjusting political and economic relations between British-India and the States.

"We hold that the relationship between the Paramount Power and the Princes should not be transferred, without the agreement of the latter, to a new Government in British-India responsible to an Indian legislature. But we have left the door open for constitutional developments in future.

"While impressed with the need for great caution in dealing with a body so heterogeneous as Indian Princes, so conservative, so sensitive, so tenacious of internal sovereignty, we confess that our imagination is powerfully affected by the stirrings of a new life, and new hopes in the States, by the progress already achieved and by possibilities of the future. To that future, we can merely open a vista. Our terms of reference do not invite us to survey the distant hills and valleys that lead to them, but we are confident that the Princes who, in war and peace, have already rendered such signal service, will play a worthy and illustrious part in the development of India and the Empire."

### Details of Proposals

The Committee, consisting of Sir Harcourt Butler, Mr. Sydney Peel and Mr. W. S. Holdsworth, was appointed by Lord Birkenhead on the 16th December 1928. The terms of reference were to investigate the rights and obligations of Indian States arising from (a) treaties, engagements and sanads and (b) usage, sufferance and other causes ; and (2) to enquire into the financial and economic relations between British India and the States, and to make any recommendations that the Committee may consider desirable or necessary for their more satisfactory adjustment. The first part refers only to the existing relationship between the Paramount Power and the States. The second part refers not only to the existing financial and economic relations between British India and the States, but also invites the Committee to make recommendations for the future.



On the whole, the Committee visited 15 States, travelled altogether 8,000 miles in India, and examined 48 witnesses. Associations purporting to represent the subjects of the State approached the Committee with their grievances, and the Committee, while declining to hear them as being outside the terms of reference, allowed them to put in written statements. The committee also received representations from many of the Feudatory Chiefs of Bihar and Orissa, requesting a reconsideration of their status and powers, as well as representations from the Feudatories of the Kolhapur State. These also were not dealt with as they fell outside the scope of the enquiry.

It was soon obvious that very divergent views on important matters were held by the Princes themselves. Important States like Hyderabad, Mysore, Baroda and Travancore as well as Cochin, Rampur, Junagadh and other States in Kathiawar and elsewhere, declined to be represented by Sir Leslie Scott and preferred to state their own case in written replies to the questionnaire. "We can, however, claim," say the Committee, "that we have done our best to ascertain, so far as this is possible, the views of the Princes as a body."

"Altogether seventy replies to the questionnaire were received from different States. Many of these, although instructive as to the feelings of the Princes and Chiefs refer to matters outside our enquiry, such as requests for the revision of State boundaries, claims in regard to territories settled or transferred many years back, applications to revise the decisions by the Paramount Power made at almost any time during the last century and requests in the matter of precedence, salutes, titles, honours, and personal dignities. These requests and applications will be forwarded to the Political Department of the Government of India."

The report makes a historical survey of the relationship between the Paramount Power and the States. Indian States, they say, still form a most picturesque part of India. They also represent, where the Prince and his people are Hindus, the ancient form of Government in India. In the Brahmanic polity, the Kshatriya (Rajput) Raja is as necessary an element as the Brahmin priest; and all that is national in Hindu feeling is turned towards him. Not always does the tie of religion unite the Ruler and his subjects. In the great State of Kashmir in the north the Ruler is a Hindu, whilst most of his subjects are Moslems; and in the great State of Hyderabad in the South the ruler is a Mussalman, whilst most of his subjects are Hindus. But truly, it may be said that Indian States are Indian India.

### THREE CLASSES OF STATES

Indian States, as they exist to-day, fall into three distinct classes: (1) States the Rulers of which are members of the Chamber of Princes in their own right; (2) States the Rulers of which are represented in the Chamber by 12 members of their order elected by themselves; and (3) States, which have Jagirdas and other similar heads. Of the 108 Princes in class (1), 30 have established Legislative Councils, most of which are at present of a consultative nature only. 40 have constituted High Courts more or less on the British Indian models. 34 have separated Executive from Judicial functions. 56 have a fixed privy purse, 46 have started a regular graded civil list of officials; and 54 have pension or provident fund schemes. Some of these reforms are still no doubt inchoate or on paper, and some States are still backward; but a sense of responsibility to their people is spreading among all the States, and growing year by year. A new spirit is abroad. Conditions have very largely changed in the last twenty years. The proposals of the Committee are concerned mainly with classes one and two.

### POSITION OF PARAMOUNT POWER

The Paramount Power means the Crown acting through the Secretary of State and the Governor-General in Council who are responsible to the Parliament of Great Britain. The fact of the paramountcy of the Crown has been acted on and acquiesced in over a long period of time. It is based upon treaties, engagements and Sanads supplemented by usage and sufferance and by the decision of the Government of India and the Secretary of State embodied in political practice. The paramountcy of the Crown acting through its agents, dates from the beginning of the 19th century when the British became the *de facto* sole and unquestionable

Paramount Power in India. The policy of the British Government towards the States passed as stated in the report of Mr. Montagu and Chelmsford from the original plan of non-intervention in all matters beyond its own ring fence to the policy of "subordinate isolation" initiated by Lord Hastings. That, in its turn, gave way before the existing conception of the relation between the States and the Government of India, which may be described as one of union and co-operation on their part with the Paramount Power.

The validity of the treaties and engagements made with the Princes and the maintenance of their rights, privileges and dignities, have been both asserted and observed by the Paramount Power : but the Paramount Power has had, of necessity, to make decisions and exercise the functions of paramountcy beyond the terms of the treaties in accordance with the changing political, social and economic conditions. The process commenced almost as soon as the treaties were made. The case of Hyderabad is cited by way of illustration. Hyderabad is the most important State in India. In 1800 the British made a treaty with His Highness the Nizam, article 15 of which contains the following clause : "The Honourable Company's Government, on their part, hereby declare that they have no manner of concern with any of His Highness' children or His Highness' relations, with his subjects or servants with respect to whom His Highness is absolute." Yet, so soon as 1804 the Government successfully pressed the appointment of an individual as Chief Minister. In 1815 the same Government had to interfere because the Nizam's sons offered violent resistance to his orders. The administration of the State gradually sank into chaos. Cultivation fell and famine prices prevailed. Justice was not obtainable. The population began to migrate. The Indian Government was compelled again to intervene and in 1820 British officers were appointed to supervise the district administration with a view to protecting the cultivating classes. Later on, again, the Court of Directors instructed the Indian Government to intimate to the Nizam through the Resident that they could not remain indifferent spectators of the disorder and misrule, and that unless there were improvements, it would be the duty of the Indian Government to urge on His Highness the necessity of changing his Minister and taking other measures necessary to secure good Government. These are only some of the occasions of intervention by the Paramount Power in its own interests as responsible for the whole of India in the interests of States and in the interests of the people of the States. From this policy of intervention, there was in time a reaction. The States were left alone, and in the event of revolt, misrule or failure of heirs the Paramount Power stepped in with annexation. This policy was abandoned again after the Crown assumed direct Government in India. Lord Canning, the first Viceroy, said that there is a reality in the suzerainty of the Sovereign of England, which has never existed before, and which is not only felt, but eagerly acknowledged by the Chiefs. Later in his despatch dated 30th April 1860, Lord Canning laid down two great principles, which the British Government has followed ever since in dealing with the States ; (1) That the integrity of the States should be preserved by perpetuating the rule of Princes, whose power to adopt heirs was recognized by Sanads in 1862 (2) That flagrant mis-government must be prevented or arrested by the timely exercise of intervention.

#### INSTANCES OF INTERVENTION

The Paramount Power has defined its authority and right to intervene with no uncertain voice on several occasions e.g., the Baroda Case (1873-75), the Manipur case (1891-92), and so lately as March 1926 in the letter of His Excellency Lord Reading to His Exalted Highness the Nizam of Hyderabad which carried the authority of His Majesty's Government. In the Baroda case, the Gaekwar protested against the appointment of a Commission to investigate the complaints brought against the administration. The Viceroy then wrote : "The Gaekwar is responsible for exercising his sovereign powers with proper regard to his duties and obligations, alike to the British Government and to his subjects. If these obligations be not fulfilled, if gross mis-government be permitted, if substantial justice be not done to the subjects of the Baroda State, if life and property be persistently endangered, the British Government will assuredly intervene in a manner which in its judgment may

be best calculated to remove these evils, and to secure good government. Such timely intervention to prevent mis-government culminating in the ruin of the State is no less an act of friendship to the Gackwar himself than a duty to his subjects."

In the Manipur case, the Chief Commissioner of Assam and four British officers went to bring about a settlement of certain disputes. These disputes led to the abdication of the Maharaja. The Chief Commissioner and party were beheaded under the orders of the brother of the Maharaja and the Prime Minister. An expedition was sent to avenge the outrage. Those responsible were arrested, tried and executed. In a resolution the Governor-General-in-Council therefore held that the accused persons were liable to be tried for waging war against the Queen.

#### LORD READING'S LETTER TO NIZAM RECALLED

In connection with the Hyderabad case, extracts are given from Lord Reading's letter : "The sovereignty of the British Crown is supreme in India and therefore no Ruler of an Indian State can justifiably claim to negotiate with the British Government on an equal footing. Its supremacy is not based only upon treaties and engagements, but exists independently of them and quite apart from its prerogative in matters relating to foreign powers and policies. It is the right and duty of the British Government, while scrupulously respecting all treaties and engagements with Indian States, to preserve peace and good order throughout the Indian States. The British Government have indeed shown again and again that they have no desire to exercise this right without grave reason. But the internal, no less than external security, which the Ruling Princes enjoy is due ultimately to the protecting power of the British Government ; and where imperial interests are concerned or the general welfare of the people of a State is seriously and grievously affected by the action of its Government, it is with the Paramount Power that the ultimate responsibility of taking any remedial action, if necessary, must lie. The varying degrees of internal sovereignty which the Rulers enjoy are all subject to the due exercise by the Paramount Power of this responsibility. It is the right and privilege of the Paramount Power to decide all disputes that may arise between the States or between one of the States and itself ; and even though a court of arbitration may be appointed in certain cases its function is merely to offer independent advice to the Government of India with whom the decision rests."

#### THE CHAMBER OF PRINCES

The report next refers to the Montagu-Chelmsford recommendation for the appointment of a Chamber of Princes, according to which a chamber has been created, and is working, though some of the more important Princes have refused to attend the meetings of the Chamber. All the same the constitution of the Chamber and its standing committee meant that the Paramount Power had once, and for all abandoned the old policy of isolating the States and that it welcomed their co-operation.

In regard to the complaints that the States have been adversely affected by the arbitrary action of the Paramount Power the report says :—"A considerable number of cases, extending over more than a century, have been laid before us by Sir Leslie on behalf of the States which he represents and also in the replies of other States to our questionnaire. We are not asked, nor have we the authority to pass judgment in such cases, still less to grant a remedy. We have not thought it necessary to hear the Paramount Power in regard to such cases. We are in no sense a judicial tribunal nor can we exercise judicial functions. That the Paramount Power has acted on the whole, with consideration and forbearance towards the States, that many States owe their continued existence to its solicitude, is undoubted and admitted. Few Governments at any time in history could look back on more than a century of action without some historical regret, that certain things had been done. The grievances put forward by the States relate to the time in which the administration of the States was very backward in comparison with what it is to-day. Some of the grievances have already been met by concessions on the part of the Paramount Power. Without pressure on States, the railways in India would not have the communications that it has to-day. Without pressure the States would not have shown the progress that they do.

Taking a broad view of the relationship between the Paramount Power and the States, we hold that thanks to good feeling and compromise on both sides, it has in the main, been one of remarkable harmony for the commonweal. In the last ten years, the Paramount Power has interfered actively in the administration of individual States in only 18 cases. In nine of these, the interference was due to maladministration; and in four to gross extravagance or grave financial embarrassment. The remaining five cases were due to miscellaneous causes. In only three cases has the Ruler been deprived of his power. No bad record this, considering the number of States and the length of time concerned. We have heard comments from some of the Princes themselves that, in certain of these cases, intervention should have taken place sooner than was actually the case. This is a difficult matter for which rules of procedure cannot well provide. The decision when to intervene must be left, and experience has shown that it can be safely left to the discretion of the Viceroy of the day.

#### SIR LESLIE SCOTT'S THEORIES EXAMINED

The relationship between the Paramount Power and the States is then subjected to a more detailed examination by the Committee. The Committee say: "With much of Sir Leslie Scott's opinion we find ourselves in agreement. We agree that the relationship of the States to the Paramount Power is a relationship to the Crown, that the treaties made with them are treaties made with the Crown and that those treaties are of continuing and binding force as between the States which made them and the Crown. We agree that it is not correct to say that the treaties with the Native States must be read as a whole—a doctrine to which there are obvious objections in theory and in fact. There are only 40 States with treaties, but the term, in this context, covers engagements and sanadas. The treaties were made with individual States, and although in certain matters of imperial concern, some sort of uniform procedure is necessary, cases affecting individual States should be considered with reference to those States individually, their treaty rights, their history and local circumstances and traditions and the general necessities of the case as bearing upon them."

Criticising Sir Leslie Scott's views, the Committee observe: "The novel theory of a paramountcy agreement limited as in the legal opinion, is unsupported by evidence, is thoroughly undermined by the long list of grievances placed before us, which admit a paramountcy extending beyond the sphere of any such agreement, and in any case can only rest upon the doctrine which the learned authors of that opinion rightly condemn, viz., that the treaties must be read as a whole. It is not in accordance with historical facts that when the Indian States came into contact with the British Power they were independent, each possessed of full sovereignty and of a status which a modern international lawyer would hold to be governed by the rules of international law. In fact, none of the States ever held international status. Nearly all of them were subordinate or tributary to the Moghul Empire, the Mahratta Supremacy, or to the Sikh Kingdom and dependent on them. Some were rescued; others were created by the British. It is not in accordance with historical fact that the Paramountcy gives the Crown definite rights and imposes upon it definite duties in respect of only those matters relating to foreign affairs and external and internal security."

The activities of the Paramount Power fall under three main heads (1) external affairs, (2) defence and protection and (3) intervention. In regard to external affairs, the Committee observe: "The Indian States have no international life. They cannot make peace or war or negotiate or communicate with foreign States. This right of the Paramount Power to represent the States in international affairs, which has been recognised by the Legislature, depends partly on treaties, but to a greater extent on usage. That this right of the Paramount Power to represent the States in international affairs carries with it the duty of protecting the subjects of those States while residing or travelling abroad is also recognised by the Legislature. For international purposes, a State territory is in the same position as British territory, and State subjects are in the same position as British subjects. The rights and duties thus assumed by the Paramount Power carry with them consequential rights and duties. Foreign States will hold Paramount Power responsible if an international

obligation is broken by an Indian State. Therefore, the Princes co-operate with the Paramount Power to give effect to international obligations entered into by the Paramount Power. For instance, they surrender foreigners in accordance with extradition treaties entered into by the Paramount Power. They co-operate with the Paramount Power to fulfil its obligations of neutrality. They help to enforce the duties of the Paramount Power in relation to the suppression of slave trade etc. The Paramount Power, when making treaties will, in view of the special circumstances existing in Indian States, insert reservations in order to meet these special circumstances. In all such cases, there is, in practice, no difference between the States and the Paramount Power, but the States ask that they may be consulted where possible in advance before they are committed to action. This request is, in our opinion, eminently reasonable and should be accepted."

Regarding inter-States relations the committee quote with approval the opinion of Sir Henry Maine that as the British do not allow the States to go to war with one another they claim the right, as a consequence, of preventing these quarrels.

As for defence the Paramount Power is responsible for the defence of both British and Indian India and as such has the final voice in all matters connected with it. The guarantee to protect a Prince against insurrection carries with it the obligation to enquire into the causes of the insurrection and to demand that the Prince shall remedy legitimate grievances. The Paramount Power has also the power to suggest measures to meet the popular demands in the States without eliminating the Prince. The intervention, the committee say, may take place for the benefit of a Prince of a State and of India as a whole.

#### THE STATES AND FUTURE INDIAN GOVERNMENT.

The Committee observe: "These are some of the incidents and illustrations of Paramountcy. We have endeavoured, as others before us have endeavoured, to find some formula which will cover the exercise of paramountcy, and we have failed, as others before us have failed to do so. The reason for such failure is not far to seek. Conditions alter rapidly in a changing world. Imperial necessity and new conditions may at any time raise unexpected situations. Paramountcy must remain paramount. It must fulfil its obligations and be capable of adopting itself according to the shifting necessities of time and the progressive development of the States. Nor need the States take alarm at this conclusion. Through paramountcy and paramountcy alone have grown up and flourished those strong beneficial relations between the Crown and the Princes on which at all times the States rely. On paramountcy alone can the States rely for their preservation through the generations that are to come. Through paramountcy is pushed aside the danger of destruction or annexation. Realising this, the States demand that, without their own agreement the rights and obligations of the Paramount Power should not be assigned to persons who are not under its control for instance, an Indian Government in British India responsible to an Indian legislature. If any government in the nature of a Dominion Government should be constituted in British India such a Government would clearly be a new Government resting on a new and written constitution. The contingency has not arisen. We are not directly concerned with it. The relations of the State to such a Government would arise questions of law and policy which we cannot now and here foreshadow in detail. We feel bound, however, to draw attention to the really grave apprehension of the Princes on this score and to record our strong opinion that in view of the historical nature of the relationship between the Paramount Power and the Princes, the latter should not be transferred without their own agreement to a relationship with a new Government in British India responsible to the Indian Legislature."

#### FINANCIAL AND ECONOMIC RELATIONS

Touching the question of the financial and economic relations between British India and the States, the Committee recommend that an expert body be appointed to enquire into (i) reasonable claims of a State or group of States to share in the customs revenue, and the adequacy of their contribution to the Imperial burdens. The terms of reference should be discussed with the Princes who should be

represented on the enquiring body. In the result, a financial settlement should be made between the Imperial Government and the State or group of States on the lines of the settlement made in the past between the Imperial and Provincial Governments.

The committee state that in the case of Princes having a salute of 21 or 19 guns, a concession is made by which all goods imported for personal use and the use of their families are exempt from customs duty. This differentiation is not unnaturally felt to be invidious. The committee recommend that this exemption be extended to all Princes who are members of the Chamber of Princes in their own right.

#### RECRUITMENT OF POLITICAL OFFICERS

The committee lay stress on recruitment and training of Political officers. They point out that at present Political officers are recruited into one department for Foreign work and for Political work (the States) from the I. C. S. and the Indian Army. These sources of supply are now limited, both being short-handed. Thoughtful Political officers are concerned as to the future recruitment for their department. They think that the time has come to get recruits separately from the universities in England for service in the States alone. The committee commend this suggestion for consideration. They realise the difficulties of maintaining small services; but declare that the importance of getting the best men possible is so great that no difficulties should be allowed to stand in the way.

The Committee advise a short course for such recruits under a selected political officer with lectures on Aitchison's "Treaties" and on political ceremonial, and a technical study of the language and customs of the people and all those graceful courtesies of manner and conduct to which Indians attach supreme importance. It might also be possible to arrange, at some early period in their career, to attach young officers to embassies or Ministries for a further short course of training.

#### PROPOSAL FOR "DIRECT" RELATIONS WITH VICEROY

The Committee do not favour the proposal for an additional portfolio of Political Membership in the Viceroy's Council, because the Princes attach great importance to direct relations with the Viceroy as representing the Crown. The appointment of a Political Member would still leave the States in a large minority in the voting power of the Council.

Similarly the Committee disapprove the scheme for the constitution of a States' Council composed of six members, and including three Princes. The Committee opine that no help could be derived from any such scheme. Indeed, such schemes which may loosely be termed, as of a federal character, are at present wholly premature. The States have not yet reached any real measure of agreement. Hence, it is, that no constructive proposal has been placed before us; and hence it is that the Chamber of Princes must, for the present, remain consultative.

The Committee advise that in future, the Viceroy and not the Governor-General-in-Council, as at present, should be the agent for the Crown in all dealings with the Indian States. This change would require legislation; but it will have three distinct advantages: (1) it will gratify the Princes to have more direct relations with the Crown through the Viceroy; (2) it will relieve them of a feeling that the cases affecting them may be decided by a body which has no special knowledge of them, may have interests in opposition to theirs, and may appear as a judge in its own case; and (3) it will in the Committee's opinion, lead to much happier relations between the States and British India and so eventually make a coalition easier.

#### PROCEDURE FOR SETTLEMENT OF DISPUTES

The Committee admit that there will, of course, be matters of common concern to British India and the States, in which the interests of the two may clash. The natural procedure in such cases, when the political Department and another department of the Government of India cannot agree will be for the Viceroy to appoint Committees to advise him. On such Committees, both British India and the States may be represented. Appropriate Departmental Standing Committees of the Assembly may meet the Standing Committee of the Chamber of Princes consisting wholly or partly of Ministers of the States, it being often difficult for the Princes themselves to leave their States. In the cases

in which such Committees fail to agree, the Viceroy may appoint a more formal Committee, consisting of a representative of the States and representatives of British India with an impartial Chairman of a standing not lower than a High Court Judge. In the event of their advice not being taken, the matter should then be referred to the decision of the Secretary of State. This procedure, the Committee hold, would be specially suitable in cases of clashing interests relating to maritime customs or claims to water etc. Practically, no change is recommended on questions such as mints and coinage, salt, financial claims in regard to posts and telegraphs, opium and excise. The question of ports in Kathiawar, and restoration of the Viramgam customs line are, says the report, unquestionably financial and economic, but still subjudice.

Alluding to the question of loans and the relations with capitalists and financial agents, the Committee point out that the question has been the subject of discussion between the political department and the Standing Committee and that they understand that an agreement is in sight. In the interests of India as a whole the Government of India must keep a certain measure of control of the loan market.

#### CONTROL OF RAILWAYS

As for strategic and important railways the Committee declare. "It is clearly necessary in the interests of India as a whole of the travelling public and of trade that all measures required for the proper working of arterial railways should be concentrated in the hands of one authority, and that criminal jurisdiction should be continuous and unbroken. After full consideration, the Committee state that they are unable to restore civil jurisdiction on railways to States. As regards other railways, the Committee recommend that the States should be given back all jurisdiction, criminal or civil, on the following terms (1) that the State or the company or individual or the association of individuals authorised by the State is either the owner of the railways or at least has a substantial interest in it and works it, (2) that the State possesses proper machinery for the administration of justice, (3) that adequate control over the working and maintenance of the line is retained either by the application of an enactment and rules similar to the Indian Railways Act, and rules made thereunder or otherwise and (4) that the State will grant permission for such inspections of the line by the Government Railway officials as may be considered necessary.

The Committee concludes: "In making our proposals we have kept in mind three points, especially a due regard for the internal sovereignty of States, the need of reciprocity between them and British India, and the natural and legitimate effects of prescription."

# The Chamber of Princes

OPENING DAY—11TH FEBRUARY 1929

The eighth session of the Chamber of Princes opened at New Delhi on the 11th February 1929 at 11. a.m. Between 40 to 50 Princes and Chiefs were welcomed by H. E. Lord Irwin, the Viceroy individually after being presented to him by the Maharaja of Patiala, Chancellor of the Chamber.

After the Viceroy's speech came the resolution moved by the Maharaja of Patiala and seconded by the Maharaja of Bikaner expressing the happiness of the Princes at the King's progress towards recovery, which was carried unanimously.

Resolutions of condolence on the departed members and of welcome to the new members were then passed.

## Chamber opened to Public.

The Chamber then proceeded to discuss the Maharaja of Patiala's resolution "that the present practice of the House be amended to open forthwith meetings of the Chamber to the Press and public, subject to the provision that the sessions can be held in camera, if necessary." The Maharaja of Patiala commended the resolution in the following words :

"Open diplomacy is the order of the day. Without publicity of our proceedings, it is impossible to dispel the groundless insinuations against the Chamber and its activities by our opponents that, even now, though our sessions are technically not public, public men of all shades of opinion find admission in our visitors' gallery, and unauthorised and even misleading versions of our proceedings leak out to the public and the Press. Normally, there is nothing in our proceedings which in the interests of our Order, need be kept confidential or secret. For my part, I am convinced that we should have nothing to fear even if the whole of our proceedings, from the inception of the Chamber up-to-date, were published.

"The partial publicity proposed in the original resolution does not secure the objective in view, since the public outside will not be satisfied by being informed of the discussion on a few isolated resolutions. And as pointed out by Lord Irwin, partial publicity will invite worse criticism and suspicion than what exists at present. Publicity of our proceedings will not only eliminate suspicion, but even secure the support of all disinterested persons for our constructive attempts in the Chamber at safeguarding our rights and interests and those of our States and subjects. It will moreover explode the suggestion often made that the Viceroy and the Government of India enter into a conspiracy with us to retard the constitutional progress of British India and to oppress our subjects.

"The resolution under discussion provides for the sessions of the Chamber to be normally open to the public and the Press ; but ensures a session *in camera* at the request of a member or a representative member, either at the discretion of the President or by a decision of the Chamber. A session *in camera* may be invoked from the inception or from any stage of a meeting. This provision will secure us necessary privacy, should we, at any time, desire a discussion *in camera*. It will not excite suspicion because some such safeguard is provided for in the rules of business of most of the legislative bodies including the Parliament. If His Excellency the Viceroy, at any particular time, desires to say something which he would not like to be published, it should be possible to arrange a session *in camera* or for an informal meeting with the Viceroy for the purpose.

"We are passing through a very acute stage of transition. Forces are at work which are out to create and exploit misunderstandings against our Order. Statesmanship demands that we should boldly and courageously face the situation. The proposed resolution will go a long way towards eliminating misunderstandings and strengthening our position. It will disarm our critics. It ensures us all that we desire in the best interests of the Chamber, and it proclaims to the world, in a most effective and dignified manner, that the Order of Princes has nothing to conceal. I commend its acceptance to Your Highnesses and personally appeal to His Excellency



the Viceroy, depending on his constructive sympathy with our Order, to give his assent to this resolution as soon as it is accepted and to give effect to it forthwith.

"Your Highnesses, in the past we have had sad and regrettable experience of our activities being mutilated and misrepresented in the Press. It had been suggested that it was due to the mystery and secrecy in which our proceedings had been conducted. We on our side, are through this resolution, allowing a fair opportunity to all concerned to get first hand information of our activities in the Chamber. Let us hope that the Press, on their side, will see that their comments on our proceedings are fair and unprejudiced."

The *Maharaja of Bikaner* stated that he had always been in favour of such a course from the time when the original conference came into existence; and he dwelt upon the unfavourable impression which the existing secrecy entailed. In the best interests of the Order of Princes as well as of India and the Empire, he appealed to the Chamber to pass the resolution.

The *Maharaja of Alwar* referred to his own proposal four years ago providing for partial publicity which was then regarded as a dangerous move. His Highness commented upon the changes which since that time had come over the opinion of the Princes. He cordially welcomed the idea of publication of the proceedings. He saw only two difficulties in such a procedure, namely, that free debate might suffer, and some Princes might be discouraged from attending. But he supported acceptance of the resolution experimentally for one year, subject to renewal thereafter, if considered desirable.

Support also came from the Pant Sachiv of Bhor.

*Lord Irwin* said that he entertained very little doubt that the arguments of the Chancellor and His Highness the Maharaja of Bikaner were convincing. His own judgment was that if the resolution commanded support, the Chamber's decision would be wise.

The resolution was passed unanimously, and His Excellency promised to put it into effect from the next day. The Chamber then adjourned.

#### SECOND DAY—12TH FEBRUARY 1929

##### Ninth Assembly of League

On this day the Viceroy as representative of the King occupied the chair and all the members numbering 37 were present in their ordinary dress. At the outset the *Nawab of Palanpur* presented the report of the Ninth Assembly of the League of Nations to the Chamber. In doing so His Highness emphasised the similarity of the League to the Chamber. Like the League, the Chamber provided a meeting place where the Ruling Princes or their Prime Ministers could gather on neutral ground; and had itself a great moral and political value.

The Nawab quoted the Prime Minister of Great Britain who attributed lack of understanding between Europe and the United States of America to the fact that U. S. A. was not a member of the League. The speaker therefrom deduced the urgent need of Indian States, who still kept out of the Chamber to join it.

After detailing the constitution of the League the Nawab stated that there was a feeling in India that though she was an original signatory to the Treaty of Versailles and paid a very handsome amount to the expenses of the League, there were not even half a dozen Indians employed in the entire Secretariat establishment. This seemed all the more surprising when a country like America, which was not even a member of the League, had more than a dozen members on the League Secretariat. But the speaker was gratified that, within the last twelve months, India had acquired a seat on the Economic Conference. An Indian representative was appointed Vice-President of the Economic Consulting Committee. It was also understood that an Indian was going to be appointed in the information section of the Secretariat.

The Nawab then gave a brief account of the permanent Court of International Justice which, he said, should be special interest to the Order of Princes. It was increasingly felt both by the Princes and politicians of British India and in the future scheme of constitutional development for India that judicial machinery must be provided for settlement of (a) justiciable disputes between States *inter se* (b) justiciable

disputes between States and the Paramount Power (c) issue of law or fact underlying any political dispute, and (d) questions of interpretation arising out of treaties engagements, sanads, or other similar documents. The International Court sat at the Hague and was composed of eleven judges and deputy judges. The Court by its constitution was competent to hear and determine any dispute of an international character which the parties submitted. The Court might also give advisory opinion on any dispute or questions referred to it by the Council of the Assembly of the League of Nations. The Court had a written constitution which was known as the statute for the Permanent Court of International Justice, and which provided the rules of procedure. States and States only could be parties before the Court.

In this connection the Nawab referred to the election to fill the vacancy caused by the resignation of a judge at the last session. The Indian Delegation alone voted for Sir Abdur Rahim ; but they knew he had no chance. The election of Mr. Hughes American candidate, was a foregone conclusion, as they wanted to maintain the link between America and the Court.

The Nawab next referred to the codification of international law. It was obvious that the Court could function satisfactorily only when it had a recognised code of law to administer. But there was no single international code but a number of national stipulations. The Maharaja of Alwar has suggested their first discussing and defining the main question regarding the position of Indian States vis-a-vis the Crown and the British Government. This question was at present under examination by the Indian States Committee. He thought that such investigation would clear the ground and pave the way for an early settlement of the various questions based on practice and usage.

Proceeding, His Highness said that the conference for codification of International Law was expected to meet in 1929. The proceedings of such conference, whenever summoned, should be of very special interest to Indian Princes. Many of the subjects that might be dealt with by it namely, nationality, domicile, responsibility for damage to persons or property of foreigners and competence of municipal courts in regard to foreign States were such as arose on a small scale in the Indian States. He was not unmindful of the fact that international law could be applied fully as between completely independent nations only : and that this was obviously not true of the Indian States.

On the other hand municipal law was also not applicable as between the Crown and the Indian States. It might however be possible to deduce from a code of international law, when it was available, legal principles applicable to the Indian States in respect of certain cognate matters affecting the Princes in their relations with the Paramount Power as well as between themselves.

The *Maharaja of Patiala*, in proposing a vote of thanks to the Nawab of Palanpur in appreciation of his work at the League of Nations, said that the Princes judged the League by its results, and as such they welcomed it as a constructive step towards international peace and towards a federation of world States to which the best of humanity had always aspired.

With the present mentality of the people of the earth, a better League of Nations could not be established. It had the germs of right development and admitted of healthy growth. At the last session, the Assembly of the League made commendable progress in some of the problems of social welfare and this year in activities relating to rural hygiene and Anti-Malaria work. India including Indian States was primarily an agricultural country ; and the improvement of rural conditions formed an important plank in the programme of activities in Indian States. So the League's work should have the support of Indian States.

The Chamber also welcomed the conclusions of the League as to the reduction of armaments as a step in the right direction. The Maharaja added : "It appears to us we cannot stop war merely by reducing machine guns in Europe and warships in the Pacific. We must attack not only the instruments of war, but also causes of war. These involve moral disarmament, adjustment of relations between Capital and Labour and better understanding between the Eastern nations. We hope and trust that constructive attention to these aspects of the problem, along with limitation of armaments, will effectively ensure world peace. Concluding, the Maharaja

emphasised that India like other great oriental countries would ultimately judge the utility of the League by its contribution towards equitably solving the problem of immigration."

The Nawab of Dewas ( senior ) supported the vote of thanks.

*H. E. the Viceroy*, before putting the resolution of thanks to vote observed that the Nawab of Palanpur had worthily maintained the standard of contribution which representatives drawn from the Order of Princes had previously made. He was particularly gratified as to what the Nawab had done on the question of India's contribution to the League of Nations' finances. A great deal of the most valuable work of the League was done in informal consultations and in day-to-day social intercourse between the representatives of the different nations. The Nawab had discharged his duties very creditably.

The resolution of thanks was carried.

### The Indian States Enquiry

His Highness the *Maharaja of Patiala*, as Chancellor, presented a review of work performed by the Chamber during the past year. This work primarily centred on the Butler Committee. Preliminary meetings with Sir Leslie Scott revealed the necessity of setting up a special organisation to prepare the case of the Princes. This was established. The quality and quantity of work done in England, on behalf of the Order, spoke for itself. This could not have been accomplished, but for the confidence and support which their Highnesses lent to the Standing Committee and himself. The success which characterised their labours in England was due to the wise counsel, unsparing labours and generous support of the Rulers of Kashmir, Bhopal, Nawanagar and Cutch who joined the deputation to England.

The Maharaja of Patiala thanked the Maharaja of Alwar for carrying on the work of the Chancellor in his absence in England.

After touching on subjects discussed by the Standing Committee during the last year, the Chancellor said that the question of acquisition of non-residential property in British India by the Princes was still under consideration. The question of air navigation over Indian States evoked lively discussions at meetings of the Standing Committee ; and the speaker informed that they had succeeded not only in presenting their view-point strongly at the meetings, but also given a token of their willingness within limitations to meet the reasonable demands of the Government of India in the matter. He trusted that with reason, justice and imagination this knotty problem would be solved. The Standing Committee also informally discussed the question of employment of European British subjects in States and the proposed decoration of the Chamber Hall with armorial bearings of various States. It was premature to refer to the first question now. As for the other, in view of the obvious difficulties involved, it was decided to give it up.

### Tributes to Chancellor

The *Maharaja of Bikaner*, in proposing a vote of thanks to the Maharaja of Patiala, paid a tribute to the admirable manner in which His Highness carried on his work as Chancellor in the interests of the Order. This year, the Maharaja of Patiala had completed the third year of the office of Chancellor. During the whole period his work was heavy and responsibilities too great especially the work involved in connection with the Butler Committee enquiry.

The *Jam Sahib of Nawanagar* remarked that the present time marked a landmark in the history of the Chamber. The Butler Committee gave them an opportunity of taking action as a corporate body. It was true that some distinguished members of the Order had not hitherto taken an active share in the work of the Chamber, but he hoped they would soon join them. The success already accomplished demonstrated the strength of corporate action, and if Indian Princes were to lead the country and their subjects, they must cultivate the habit of acting together. The *Jam Sahib* testified to the courage, wisdom and determination, which characterised the services of the Maharaja of Patiala.

The *Pant Sachiv of Bhor* supported the motion.

The *Maharaja of Alwar*, in a well delivered extempore speech, associated himself

with the tributes to the Chancellor. The Maharaja of Patiala had held the office of the Chancellor at an important juncture in the history of the Chamber ; and in connection with the Butler Committee work, the Chancellor's responsibility was most arduous. He not only took it up, but he himself went to England as the head of the deputation, and conducted it to the finish.

Referring to the remarks of the Chancellor, the Maharaja of Alwar pointed out that in England, it was a work which was distasteful to him, but his brother Princes generously responded to the call and lightened his task. He wished every success in the endeavours of the Chancellor in order to bring to fruition the work ; and he hoped the result would be such as would be welcome by the Viceroy, his Government and the Princes of India. (Applause.)

The Viceroy in putting the resolution to vote hoped that the report of the Butler Committee, when received, would show that the committee had taken full account of the case presented by the Princes and Chiefs. Referring to the decision taken by the Standing Committee not to proceed with the decoration of the Chamber with armorial bearings, the Viceroy said that if any member of the Order wanted to have the armorial bearings put on, he would act as a liaison officer between them and the architect.

#### Construction of Tramways in States

The *Maharaja of Patiala* moved that the recommendations of the Standing Committee in regard to the construction of tramways be taken into consideration. His Highness said that the question before the Chamber was not a new one. It first came before them in 1924 when the Maharaja of Bikaner presented the proceedings of the Standing Committee on the subject which embodied two important principles, namely, that the amount of compensation should be settled by mutual agreement or in case of difference, by arbitration. In the event of arbitration, each party should appoint one arbitrator and where the arbitrators disagreed, they should appoint an umpire whose decision should be final. Secondly, since it was the sovereign right of every State to construct a tramway within its own territory, to open its country and to develop its internal resources, no question of vested rights or claims for compensation for any existing tramway could in the absence of any specific agreement, arise or be admissible. This proposal was circulated by the Government of India for the opinions of the Local Governments and political officers and durbars. As a result of the criticisms received by the Standing Committee, it realised that it was open to several objections. It excluded all new State tramways from liability for compensation to an old railway or tramway outside the State in the absence of a specific agreement.

Proceeding, the Maharaja of Patiala said that the compromise now recommended by the Standing Committee was eminently reasonable under the circumstances ; for it gave them complete freedom of action for future construction of tramways within their territories without liability of compensation except where there was a specific agreement to the contrary. It eliminated the reasonable objection of the Morvi Durbar and those who agreed with it providing that where a State extended or connected their tramways with others beyond their territories, the question of compensation should be discussed on merits. Even in the later case, it left open for any State, when giving permission in future for the construction of a tramway or railway within their territory, to reserve that it should not be liable to pay compensation to such tramway or railway in future if it constructed a new tramway going beyond its territories.

The Maharaja of Alwar suggested that the decision be postponed for one year, as the summary of the Standing Committee's Report reached the Princes only this week.

The Viceroy suggested that there were two ways open to the mover, either to persuade the Maharaja of Patiala to withdraw the motion or move postponement of the decision till the next session.

The Maharaja of Bikaner opposed postponement, as he said the summary was delayed at the request of the Maharaja of Alwar himself as he had requested the Viceroy to suspend the business of the Standing Committee owing to his jubilee.

The resolution demanded the general concurrence of the Chamber on principles and left individual freedom of action.

The Jam Saheb of *Nawanagar* wanted to know whether the resolution could be reconsidered if, later on, difficulties were experienced in the way of putting it into practice.

The Viceroy held that it was open to the members to appeal to the Standing Committee for revision if necessary.

The amendment of the Maharaja of Alwar was rejected and the original resolution carried. The Chamber then adjourned till the next day.

### THIRD DAY—13TH FEBRUARY 1929

#### Faith in British Connection

On this day, the Chamber of Princes discussed a most important resolution on the motion of the Chancellor, the Maharaja of Patiala. The resolution which was adopted unanimously ran :—

"While adhering to their policy of non-intervention in the affairs of British India, and repeating their assurance of sympathy with its continued political progress, the Princes and Chiefs composing this Chamber, in view of the recent pronouncements of a section of British Indian politicians indicative of a drift towards complete independence, desire to place on record that in the light of mutual obligations arising from their treaties and engagements with the British Crown they cannot assent to any proposals having for their object the adjustment of equitable relations between Indian States and British India unless such proposals proceed on initial basis of the British connection."

The *Maharaja of Patiala* said that the Princes had always refrained from any interference with British Indian politics and had no intention to depart from that salutary rule ; but complete severance of the British connection, which had been advocated by a section of British Indian political thought, was not a matter which affected British India alone. Their ties with British India were close, and they were linked to it politically, historically and economically. They therefore regarded it as their duty to give suitable and timely expression of their deep concern that developments in Indian politics should not be such as would create an insurmountable obstacle in the way of closer relations between British India and Indian India or inconsistent with the due discharge of their mutual treaty obligations with the British Crown. Territorially Indian States constituted nearly one half of the Peninsula, if Burma were excluded, while their population number upwards of 70 millions. "We feel we are entitled to an adequate voice in shaping the ultimate policy of the whole country. It is our profound conviction that, in the best interests of India herself, British connection should be maintained. We believe that India will be a greater and more prosperous land as a federation of autonomous States and provinces within the Empire than she will be outside the Empire. This being our conviction, we can only regard any movement in British India in the direction of complete independence as likely to injure the best interests of the country and also to postpone the establishments of equitable and friendly adjustments of interests between the States and British India for the good of India as a whole."

Proceeding, the Maharaja said that apart from their conviction they felt that the suggestion of Independence conveyed a menace to the due discharge of those reciprocal rights and obligations which arose out of their solemn treaty obligations which were the foundations of their relationship with the British Crown. He made clear that they implied no hostility to British India. On the other hand, they always expressed their sympathy with the aspiration of British India, which they regarded as legitimate. They recognised that British India had as much right within its exclusive sphere, to aspire to rise to its full stature as the States had to enjoy fully the rights they were entitled to exercise. "But just as we cannot fairly take any step in matters involving the common interests of British India and Indian India without paying due regard to the legitimate right of the former, so we on our part, claim the same consideration from British India in matters which involve us along with them."

In conclusion His Highness said that the future lay in a close tie, designed to lead

up to an equitable adjustment of the interests of British India and the Indian States on a federal basis. Their desire was to cement their relations with British India consistently with the due discharge of their duties to their States and their treaty obligations with Britain. They wished to emphasise their belief that any constructive settlement of the Indian situation must take due notice of the legitimate interests of all the three parties concerned, namely Great Britain, British India and Indian States." Let us move our energies harmoniously to the task of building up an Indian federation founded upon mutual respect for each other's rights, which shall remain a constituent and autonomous part of the British Commonwealth of Nations."

The *Maharaja of Kashmir* supporting the resolution affirming faith in the British connection said that the loyalty of the Ruling Princes to the British Crown was not an empty phrase or a mere figure of speech. It had been demonstrated on every possible occasion in the past, and they were proud to feel that this sentiment animated them as strongly as ever to-day. He had always kept aloof from the politics of British India and had no desire to preach a sermon to any section of British India.

Their treaty relations were with the British Crown, and they were bound to treat the friends and enemies of the King as their own friends and enemies. In cases of difference of opinion on matters of joint concern to British India and the Indian States there was obviously only one authority that could decide namely, the British Crown, just as in a case of difference of opinion between New Zealand and Australia or Canada. In his own case, said the Maharaja of Kashmir, as a Ruler of a State having the privilege of guarding hundreds of miles of a frontier where three empires met, he inherited special responsibility, and it was necessary for him to say that, as in the past, so in the future, Kashmir would always fulfil the responsibility and obligations it owed to the British Crown by virtue of its treaties. It was a truism to say that the interests of the Indian States were identical with those of British India and whatever affected the stability or strength of Great Britain in India, affected not only the stability and strength of the Indian States, but also that of India as a whole. A federation seemed to be a higher ideal than an isolated self governing British India; and autonomous Indian States would find great opportunity of mutual service and promotion of their respective aims and ideals under the common aegis of the British Crown in the British Commonwealth of Nations.

The *Maharaja of Bikaner*, in supporting the resolution spoke as follows :—

"It is not necessary for me to speak at any great length in supporting the very important resolution which has just been moved by the Chancellor. It was only the other day, namely, on the 9th of September last at a dinner which I gave in Bikaner in honour of my Prime Minister, Sir Manubhai Mehta, on the eve of his departure for England to take part in the Princes' work there connected with the Indian States Committee, that I took the opportunity of explaining at considerable length the views and sentiments and attitude and outlook of the Princes and States on the various important matters prominently before us at the present moment,—views which I believe I am not incorrect in saying, are held not exclusively by myself or shared by only a small number of the Ruling Princes of India but by at least a great majority, if not, as I would fain hope, by our entire Order—and which furthermore represent the sober opinion in our Indian States. At the same time, in regard to a resolution so important as the one now under discussion and which must, of necessity, cover a wide field and diverse subjects, it is the duty of everyone whether belonging to the States or British India, to make as clear as possible the terms of this resolution, as well as our attitude in regard to its subject-matter so as to leave no room for any honest misunderstanding or deliberate misrepresentation. It is also best for us all to be perfectly frank. It pays invariably, at least, in the long run, and leaves no room for imaginary calculations or false expectations.

"The Chancellor's resolution moved to-day on behalf of the Chamber of Princes, covers two important points. It attempts to make it clear (1) that the Princes and States of India can have nothing to do with any proposals having for their object the adjustment of equitable relations in the India of the future between Indian States and British India, which, as has been urged by a section of British Indian politicians, have as their goal the complete independence of India and thus the severance of the

British connection and (2) the Princes' attitude of sympathy for the legitimate aspirations of our brethren in British India for attaining full nationhood under the aegis of the Imperial Crown. It should not be necessary to labour the first point. Honour and good faith demand that all the parties concerned should pay scrupulous regard to the treaties and engagements which have created mutual rights and obligations. And here, may I, in all friendliness, add that the States insist upon British India also respecting our treaties and rights? The Princes of India have all along assessed at a very high value the sanctity of the plighted faith; and in doing their utmost to live up loyally to the high moral qualities of integrity of word and sacredness of compact, they have often cheerfully carried on the struggle and borne heavy sacrifices. Thus, it will be clear that, apart from our feelings of personal loyalty and attachment to the King-Emperor, we are intimately bound to the British Crown through our treaties and engagements which, in themselves, render it impossible for the Princes even to countenance, much less to lend their support to any such fantastic and impossible proposals which aim at complete independence and the severance of the British connection.

"Moreover it is my honest conviction as I am sure it is that of Your Highnesses, that India can find no ample scope for its continued constitutional advancement or greater security for its future well-being than in the Commonwealth of the British Empire. As a single instance in support of my argument it will suffice to point to the sure shield offered to all of us in India; with our extensive sea coast, by the might of Britain's navy, not to speak of the defence and protection of our far flung frontiers guaranteed to India by the British Army; and where also for orderly and peaceful development of our country, can we look for all the resources and facilities which the most powerful Empire in the History can offer us?"

"In this connection, I would refer to the significant pronouncement made on the subject, not long ago, by General Smuts with reference to similar talk about the complete independence of South Africa and its breaking adrift from the Empire. He pointed out, so far as I recollect, in much stronger language, that without the British Navy behind them, the independence of South Africa would not be worth much for any length of time.

"We, the Princes and people of the Indian States, are ourselves Indians, and we do most sincerely wish our mother-land and fellow countrymen well; and we do equally sincerely look forward, as proudly as any British Indian, to the day when our united country would attain to the full height of its political stature as in every way an equal and fully trusted member of the comity of nations within the British Empire and as much respected as any other self-governing British Dominion.

"This has already brought me to the second point of our resolution. As I have pointed out on more than one occasion, many Princes have, within this Chamber and without, and not only in India but also in England, gone out of their way not merely to express their sympathy with the legitimate aspirations of British India; but we have, as occasion demanded, further urged that generous and liberal measures be taken early to accelerate the constitutional advancement of British India within the Empire. To-day, we have in this resolution again reiterated that we adhere to our policy of non interference in the purely domestic affairs of British India and have repeated our assurances of sympathy with its continued political progress, be that towards Dominion Status or Self-Government under the aegis of the British Crown, or whatever other system, compatible with our idea, might be desired and found most suitable for British India. But it would obviously be futile and in vain for any section in British India to seek to make terms with Indian States, Princes, and their subjects for any readjustment in the future policy of this country unless the basis of such negotiations is without mental reservations of any kind or if the Dominion Status now asked for it is ultimately to be only a cloak for the goal of separation and complete independence.

"Here, Sir, may I be permitted to say with what gratification I read, as I am sure was the case with my brother Princes, the words addressed by Your Excellency, a few days ago, in the Imperial Legislative Assembly giving an assurance to British India that the memorable declaration of 1917 stands and will stand for all time as the solemn pledge of the British people. When a few weeks ago, in informal discussion amongst ourselves, the proposal was mooted for this resolution to be moved by

the Chancellor, some of us naturally also took into consideration as to whether such an action on our part was capable of being honestly misunderstood in the country. But as was pointed out, it only makes clear that we are not thwarting in any way the constitutional advancement of British India; but that, far from opposing, we are really lending our moral support to the leaders of British India, who for instance in Calcutta last December, succeeded in getting rejected the resolution moved by an extreme section of politicians for complete independence. It is in this spirit that we all trust that our actions and deliberations to-day will be viewed by all impartial and fair-minded men in British India.

Before concluding, I would incidentally also observe that the proof of wisdom and justification of your Highnesses' decision, last Monday, to throw open to the Press and public the meeting of our Chamber in their entirety is forthcoming in a most practicable manner, much earlier than might ordinarily have been the case; for there can be few resolutions and discussions like the one now engaging our attention, which, unless undertaken in the fullest light of publicity, are more capable of producing misunderstanding or even misrepresentation and of creating suspicions in the minds of the people and Press of British India. It will be easily perceived that, had our sittings been held in seclusion and our proceedings not been available to the Press and public, all kinds of rumours, even distorted versions, would have gone round, and through ignorance and alarm and in some cases deliberate perversion of facts, and the wildest canards, would have like a snow ball, gone round and gathered strength. The Chamber of Princes as well as individual Rulers taking part in to-day's debate would not only have been represented but believed by many an honest individual in British India as thwarting India's constitutional advancement. To-day with our deliberations taking place in public, with the reporters of the Press present in this Chamber, and our proceedings freely available to all and sundry, both in British India and our States, the Chamber of Princes, as well as each of us, are in the strong position of being able conclusively to show to the entire world that nothing has been done by the Chamber of Princes, contrary to their oft-repeated declaration. Except those who are not open to reason, every fair-minded person in British India will now be in a position to understand that we stand for evolution and not for revolution, and that we stand and stand unflinchingly, steadfastly and irrevocably and regardless of all sacrifices, for maintenance of the British connection as well as for the adequate safe-guarding and correct recognition of treaty rights and privileges and prerogatives of ourselves and our States.

The *Maharaja of Kapurthala* said that the resolution truly reflected the spirit emanating from their Order. We feel that no greater disservice can be rendered to the cause of India than this policy and doctrine of independence. India cannot do without England. Her goodwill and assistance are needed not only to attain freedom, but to maintain it. The course the Princes are determined to follow is one which will be a guarantee of India's safety and salvation in the future as it had been in the past.

The *Maharaja of Alwar*, who spoke extempore, recalled that to avoid misunderstanding he had supported the resolution to open the proceedings to the Press. The resolution which they were discussing was one still more liable of being misunderstood if discussed behind closed doors. Continuing, His Highness said: "We clearly and emphatically declare that there is not a single member in this Chamber who does not very cordially wish British India every success in its endeavour to attain that position which we Indian States already possess in regard to the government of our States. The point requiring emphasis is that our treaties, originally made with the East India Company were taken over by the Crown. Since then, our treaty relations are with the Crown and will ever remain with the Crown. We pray that with the British Crown as the supreme head, Indian States and British India may work out their mutual solution of advance and progress to the goal we all wish for; and we wish it would be the good fortune of British India to achieve her goal in a very short time. And as a united India we can march forward with the respective obligations to the British Crown. It has been mentioned that the Independence Resolution was a form of gesture in case there was undue delay in granting self-government, and that prominent public leaders had disassociated themselves from it. "We, the Princes,



who have great stake in the country, feel that to break the tie which binds India to the Empire, will be nothing short of a calamity. Our union with the Empire is based on mutual appreciation and ancient tradition. There is no reason why we should not sympathise with our brethren to attain constitutional advance by constitutional means : and we are not apprehensive that self-governing India will be a source of danger to our Order. We feel, we can attain our highest destiny within the Empire with advantage to each other : and we value above all British connection."

The *Raja of Mandi* held that those who pleaded for separation from the British Crown were the greatest enemies of mankind, and added : "The only way in which we can keep our subjects loyal to ourselves, is to dissociate ourselves from this movement."

The *Maharaja of Dewas* (senior) declared : "We have nothing in common with the mentality which wants separation from the British Empire. We shall ever remain staunch to our long cherished connection with the Crown, and we are not unsympathetic to British Indian aspirations to full responsible government."

The *Chief of Korea* said . "The question is of vital importance to our future progress and well-being. We have behind us the incalculable strength and protection of the Empire, which fortifies us to-day ; and in addition we have political and economic assistance and the help of the vast economic resources that constitute the backbone of the Empire."

The *Viceroy* enquired whether the *Maharaja of Patiala* would like to close the debate. His Highness said he had nothing more to add, whereupon the *Viceroy* said : "I have nothing to add to the resolution Your Highnesses have been discussing. The resolution is one of the most important which this Chamber has ever discussed. I have also no doubt that when the Chamber passes the resolution, it will be expressing not only the opinion of those present here, but of the whole of Your Highnesses' Order. The speeches of Your Highnesses make clear, once more, the position in this matter in regard to the relation of the States both to British India and to the British Crown. The purpose of your resolution is therefore clear."

The resolution was put and carried unanimously

### Appointment of Pro-Chancellor

The *Maharaja of Patiala* next moved recommending to the *Viceroy* that part one of the first regulation of the Chamber's Constitution be amended to provide for the annual election of a Pro-Chancellor who will act as Chancellor in the event of a vacancy by death, resignation, incapacitation, or absence from India of the Chancellor and that the Pro-Chancellor be designated Officiating Chancellor during the period he so functions and that he shall be ex-officio member of the Standing Committee and that the Chancellor going out of India on duty connected with the Chamber shall retain his office.

Proceeding, the *Maharaja of Patiala* said that having functioned as Chancellor for the last three years, he felt it his duty to submit that his experience suggested that the resolution was necessary. A similar contingency was provided for recently in the Government of India Act in respect of leave of absence for the Governor-General or Governors.

The *Maharaja of Bikaner*, in seconding the resolution, stated that he himself, as Chancellor, experienced great difficulty when he had to go out of the country. There was no clear provision to-day in the Constitution for a Pro-Chancellor ; and it was therefore necessary to amend the Constitution. He suggested that the Prince who secured the second highest number of votes at the election of Chancellor should be elected Pro-Chancellor and should be ex-officio member of the Standing Committee. He advocated separate elections for the Standing Committee, and moved an amendment to that effect.

The *Maharaja of Alwar* pointed out that under constitution no amendment was in order unless 24 hours' notice was given to the effect.

The *Maharaja of Bikaner* pointed out that he had given proper notice of the amendment to the Secretary and he understood that it was circulated some days ago.'

The Viceroy put the amended resolution to the Chamber which was adopted without further discussion. The Chamber then adjourned till the next day.

#### FOURTH DAY—14th FEBRUARY 1929

##### Education of Young Princes

The Chamber of Princes met this morning with His Excellency the Viceroy in the chair. At the outset the *Maharaja of Bikaner* moved that a committee, consisting of the Chancellor, the Maharaja of Kashmir, the Rulers of Bhopal, Nawanagar and Bikaner, Sir Manubhai Mehta, Col. Hasker, Sir Prabhashanker Pattani, Col. Vendel, Major Colvin, Col. Watson and Messrs. Madon and Kelly, be appointed to enquire into the question of educational facilities for the young Princes in India.

The Maharaja of Bikaner stated that as a result of the resolution adopted at the first session of the Princes' Chamber in 1916, a committee was appointed to enquire into that question. Several changes were then introduced in the system of education for the Princes in India. Since then, many developments had taken place in the world; and in recent years several minority administrations had come into existence in the country. But it was not so much a question of education. It was administrative training which was required for a young ruler. The Maharaja of Bikaner held that if the Ruler of a State failed in the discharge of his duties, it was due more to lack of administrative training than to anything else. He therefore placed administrative training in the forefront. Similar views had been expressed by the Jam Sahib of Nawanagar during the Round Table Conference which the Maharaja of Bikaner said His Excellency the Viceroy had convened at Simla in 1927. The Maharaja of Bikaner suggested that the terms of reference of the proposed committee should be (1) the question of minimum fees; (2) details in regard to administrative training; and (3) the question as to how to free young Princes from loose thinking and loose talking.

The Maharaja of Bikaner felt that twelve months' training for young Princes was inadequate as was imparted at present. As to the suggestion that young Princes might be sent to some other State for training, the speaker held that such a system might suit the heirs of small States, but not of big ones; for, big States had their own law and administrative regulations. It was therefore best for the heirs of big States to come in to the closest touch with their own people and local conditions, and imbibe the traditions and culture of their States. In conclusion, the Maharaja of Bikaner appealed to the Chamber to accept the resolution, and requested His Excellency the Viceroy to appoint a committee and to put its recommendation into effect.

His Highness the Ruler of Panna seconded the resolution.

His Excellency the Viceroy informed that through oversight, one of the names suggested informally among the Princes had been omitted from the list proposed for the committee. While not desiring to be too technical in such matters, he suggested for future guidance that names should be notified to the Secretary 24 hours before sittings begin.

The Maharaja of Bikaner emphasised that the Chamber was new to Parliamentary procedure; but in this matter of personnel, names were discussed informally; but he had no opportunity of ascertaining the views of the majority as to whom they wanted to be put on the committee.

The Viceroy suggested early steps for the amendment of the Standing Order to make things more explicit. As for the resolution itself, the subject matter was far-reaching, and therefore he desired more or less a unanimous decision if possible. It was a correct solution of his question that the future of their Order very largely rested—and not only the future of the Order of Princes, but, what was more important, the future of the Indian States' subjects. His own view was that twenty could be a suitable age for giving administrative training. Some of them might think this age too high, and some others might regard it as too low; but let them not forget that in the English Royal family the age for administrative training was 21, and yet the powers which the Indian Rulers enjoyed over their subjects were very much greater and more responsible than those enjoyed by the members of the Royal family

in England. Concluding, the Viceroy thought that a committee of fourteen was too unwieldy, and preferred a smaller body.

The *Maharaja of Alwar* suggested that the resolution be split into two parts, one regarding the appointment of the committee, and the second regarding its personnel. Regarding the latter part, he regretted he was unable to be present at the last evening's informal conference, and moved that the question of the personnel be left over for discussion till to-morrow, and that meanwhile the list might be open to addition or alteration in an informal manner and the names to be put on the committee might be circulated for this purpose.

The *Maharaja of Bikaner* had no objection to the course suggested by the *Maharaja of Alwar*.

H. E. the Viceroy agreed to this. The first part of the resolution was carried, and the second part was left open.

By this hour, the galleries were overcrowded with a large element of members of the Assembly and the Council of State, both of which were not in session to-day. A striking feature in the galleries, as down in the Chamber, was the display of yellow-coloured turbans, with which the *Vasanta* season is generally ushered.

The *Nawab of Malerkotla* moved a resolution recommending that the report of the Indian States Committee should be circulated to all States, the Rulers of which are members of the Chamber in their own right, and to all States returning representative members for opinion, and that the Government of India should take no action unless and until such opinions had been received and the reports together with the opinions of the States, had been fully discussed in the Chamber of Princes; and that in addition to obtaining written opinions of the States, the Viceroy should give an opportunity to some of the Rulers of big and small States, whom His Excellency might select, to give him verbally their views.

The *Maharaja of Kapurthala* and the Chief of *Bhor* supported the resolution in short speeches.

The *Maharaja of Korea*, supporting the motion, declared that such a free exchange of views would satisfy the Princes that they had had their say in the matter. Such opportunity would be of special value to those Princes who had elected representatives in the Chamber.

The *Maharaja of Alwar* said that the problem of definition of the relations between Indian States and the British Government though difficult had been tackled by the Butler Committee, whose report was being awaited. This problem was interwoven round the various Sanads, treaties and engagements of different Rulers, everyone of whom was interested in securing adequate time for full discussion for consideration of the various issues. Any time spent on this would really not be wasted.

H. E. the Viceroy appreciated the desire for a full discussion of the Butler Committee report; and in accordance with the general practice of consulting the Rulers of Indian States before taking any action, they would in this case also give an opportunity to the Princes to express their views. As for himself, he was at their disposal and would receive any Prince, big or small, to give the benefit of his views.

The resolution was carried.

#### Government and Chamber's Resolution

The *Maharaja of Kashmir* then moved that a statement be placed on the table of the Chamber showing the resolutions passed up to the date by the original Princes' Conference and its successor, the present Chamber of Princes and the action taken by the Government of India thereon. The *Maharaja* held that in regard to some matters which had been discussed during the past 14 or 15 years, they did not know what action the Government of India had taken. Further, they were anxious to create in as many of their Order as possible an interest in the Chamber, and to bring within their fold those Princes who were at present conspicuous by their absence in this House. A statement of their work would greatly help in this direction. A statement such as he proposed would act as a stimulus to them, and it would then become possible for them to expedite progress in regard to those matters to which they attached very great importance. Though the resolution did not say that such a

statement brought up-to-date should be placed on the table every year at the annual session of the Chamber, he hoped it would become possible for His Excellency's Government to do so every time. He understood that this practice was followed in relation to the resolutions moved in the Legislative Assembly and the Council of State and that the procedure therefore was not without a precedent.

After the Maharajas of Patiala and Sitamau had supported the motion, Lord Irwin accepted the resolution, and announced that as soon as the returns were compiled, they would be made available to the Princes. The resolution was unanimously agreed to.

#### **Dates for Annual Meeting of Chamber.**

At the instance of the Maharaja of Patiala, who moved the resolution in the absence of the Ruler of Bhopal, the Chamber adopted a motion recommending that the annual meeting of the Chamber of Princes be held in future on 2nd or 3rd Mondays in February and that the meeting of the Standing Committee be held on 3rd Mondays of March and November respectively each year. It however was provided that should the dates so settled coincide with important religious festivals, other convenient near dates be selected.

#### **Princes' Contribution for Charities.**

In the last resolution moved on this day the Chancellor urged the laying on the table of a full statement of contributions made by Indian States and their Rulers from 1877 to the present day to charities, and to educational, medical and commemorative institutions, relief funds and other public causes of benefit to India both in times of war and peace. The Maharaja of Patiala remarked that a large number of appeals for funds had been addressed in the past to Princes for relief and other commemorative and medical work in British India, by Viceroy's downwards to Collectors, and had been cordially responded to. Contributions by the Princes included a large number of endowments which gave the Princes genuine pride.

The Maharaja of Jodhpur seconded the motion.

The Viceroy accepting the resolution stated it was strictly within the fine functions of the Chamber to have asked for such a statement. A compilation of these statistics however would involve a great amount of work and although he knew that the Political Department did not suffer from lack of goodwill, it did suffer from lack of time. Personally the Viceroy thought the labour would be worth while in the interests of complete records.

The Chamber then adjourned.

### **FIFTH DAY—15TH FEBRUARY 1929.**

#### **Education of Young Princes.**

The Chamber of Princes held its final sitting to-day. His Excellency the Viceroy presided.

His Highness the *Maharaja of Bikaner* moved the second part of the resolution which stood over, recommending the appointment of a committee to consider the question of education and administrative training of minor Princes. He said that, in accordance with the desire expressed in the Chamber yesterday, names were circulated to the Princes. The personnel now presented to Their Highnesses was the outcome of informal discussions in the Standing Committee. Although the number seemed to be little large, it was really a matter of indifference so long as the committee was a useful one. Sir Prabhaskar Pattani had withdrawn his name, not as a result of the debate yesterday, but of his own free will. The Maharaja of Bikaner suggested that either Kazi Aziuddin, Dewan of Datia or Khan Bahadur Abdul Hamid, Dewan of Kapurthala, should be on the committee. Although he was not superstitious, he would not like to keep the number at thirteen.

His Excellency the *Viceroy* said that he understood that His Highness the Maharaja of Kashmir had also withdrawn his name. His Excellency therefore suggested that the number be kept at twelve and that Their Highnesses could add more names to the committee if found necessary.

His Excellency the Viceroy's suggestion was accepted by the Chamber, and the Committee was eventually appointed.

**Famine Relief Fund and Indian States.**

The *Maharaja of Bikaner* next moved that the rules issued in 1900 for the administration of the Indian People's Famine Fund be referred to the Standing Committee of the Chamber of Princes for consideration, and to recommend to the Viceroy whether in the light of experience, any changes were called for affecting Indian States. The *Maharaja of Bikaner* said that the fund came into existence as a result of an appeal made by Lord Curzon during the famine of 1899 and stood to-day at roughly 30 lakhs, the major contributors to it being the Indian States. The rules and by-laws of the fund applied both to British India and to the Indian States. Out of 13 trustees on the board of management, Indian States were represented by three and it was equitable that a larger share of representation should be given to the Indian States compatible with their interest and in proportion to the area liable to the visitation of famine and failure of rain. But the question of the composition of the Board of Trustees he regarded however of secondary importance. What he primarily urged for related to the provisions and rules regarding grants from the fund. His Highness the *Maharaja of Bikaner* stated that, since 1899, when rules were first framed, the economic conditions in the country had undergone radical changes. The rules made no provision for fodder relief. On the other hand, this was provided for as a *prima facie* condition of the existence of general and severe privation over a considerable area to be notified by the Governor-General. It was clear that relief was only permissible when famine tests had satisfactorily been demonstrated. The rules made no provision for saving live-stock and estate and it was done generally through supplementary grants for supply of fodder, grass etc. The *Maharaja of Bikaner* suggested provision for loans being advanced for agricultural rehabilitation and for *Takavi* loans for a fresh supply of live-stock when the period of distress was over or about to be over. His Highness suggested that provision should be made to allow for grants to supplement the endeavours of the Government of India or of the Indian States to supply grass and fodder, which would help to keep cattle or at least a certain portion of them alive. In conclusion, the *Maharaja* said that the resolution was proposed in no spirit of rivalry or hostility towards British India, nor was there any desire on the part of the Princes to ignore the claims of British India, especially when their sole object was to relieve human distress wherever it was wide-spread.

The resolution was seconded by the Ruler of Dholpur.

The Viceroy, putting it to the vote of the Chamber, said that he would direct the resolution to be placed before the Board of Trustees of the Fund to elicit their opinion, which would be carefully considered by the Government and be placed before the Standing Committee of the Chamber.

**Election of Chancellor.**

The Chamber then proceeded to elect a Chancellor, Pro-Chancellor, the Standing Committee and the Substitute Standing Committee.

The *Maharaja of Patiala* was re-elected Chancellor for the fourth time by 30 votes.

The *Maharaja of Patiala* was re-elected Pro-Chancellor by 24 votes. The *Maharaja of Alwar* got four votes : but as the elections were in progress, the *Maharaja of Alwar* withdrew from the contest. He said that he would be in England during the next summer, and both the Pro-Chancellor and the Chancellor could not be out of the country and he knew the *Maharaja of Patiala* was also going abroad.

The resolution was adopted.

The Chamber then elected the *Jamsahib of Nawanagar* (31 votes), the *Maharaja of Bikaner* (28 votes), the Ruler of Bhopal (28 votes), the Ruler of Cutch (23 votes) and the Chief of Sangli (20 votes), to the Standing Committee.

As the Chamber proceeded to elect members to the Substitute Committee, the *Maharaja of Alwar* made another statement. He said that as the Chamber had relieved him from contesting for the office of Pro-Chancellor he wished to be similarly relieved from election to the Substitute Committee. He knew that very brisk canvassing had been going on ; and from the names for the Substitute Committee he knew his name had been again omitted as he will be away in England and so will not

able to serve on the committee. I thank my friends for their sympathy and goodwill towards me for my work for my people, for our Order, and for the country."

The Chamber elected the Ruler of Dholpur (28 votes), the Maharaja of Jodhpur (25 votes), the Ruler of Porbunder (23 votes), and the Raja of Sitamau (18 votes) as members of the Substitute Committee.

#### Indian States' Enquiry.

The *Maharaja of Patiala* replying on behalf of the Chamber to the opening address of the Viceroy, referred to the profound relief experienced by the entire Order at the news of the King's progress towards recovery.

Referring to the Butler Committee the Maharaja of Patiala said that the actual course of its proceedings did not entirely coincide with the hopes formed. We must in all fairness inform Your Excellency that the round table idea for which we had so earnestly hoped, did not materialise. In that case, we would have laid all our cards on the table, and exchanged views without reservation and would have laboured together in harmony and candour to find a solution of the problems which confronted us. But whatever form the report of the Committee might ultimately assume we are clear in our minds and happy to hear from Your Excellency that we, in this Chamber, should not merely have an opportunity of expressing our opinions upon the document itself but have adequate occasion for examining any proposals for action that the Government may decide to take."

The Maharaja of Patiala referred to the internal conditions in the States, and said that they had been striving hard to modernise the administration and move with the times.

Turning to other topics the Maharaja expressed gratitude to the Viceroy for the assurance that the Government would bear in mind the dislocation, on account of loss of opium revenues to which the States would be exposed, as a result of the international obligations contracted on behalf of British India. He suggested pooling together the opium profits and assured the co-operation of the States in effecting a solution.

In regard to road development, he expressed the hope that the States would be given an opportunity to discuss the proposals of the Road Committee before a decision was taken, as the matter had far-reaching consequences affecting the States.

The Maharaja of Patiala specially referred to the shortage of armaments available for the States' Forces. He said that bitter experience had shown that the forces of Law and Order were not infrequently handicapped in their endeavours to secure suppression of crime. He then suggested the bringing of those States whose political relations were not direct with Provincial Governments under the Government of India and lastly he expressed the difficulties which they anticipated from the conclusion of international conventions by the Government of India, in a manner which did not fully provide for the position of the Indian States.

#### VICEROY'S CLOSING REMARKS.

His Excellency the *Viceroy*, closing the session, thanked the Chancellor for his speech, and congratulated the Maharaja of Patiala on deservedly retaining the confidence of the Chamber and on being re-elected. It was a pride and pleasure for His Excellency to preside over their Chamber and to keep in a close contact with the Princes and to learn their opinions. Alluding to the Maharaja of Patiala's remark about the Butler Committee and the Roads Committee, Lord Irwin declared that the Government would always move along the line of common consultation with the States and British India.

Referring to their resolution to maintain the British Connection, His Excellency laid stress on the principles of loyalty to the Crown, stability of Government, and constitutional advance. He said that along these three points any one could navigate the seas of political struggle. The Viceroy praised the standard of speeches, which were well conceived and to the point; but he hoped the select oligarchy would co-opt and recruit more members to take part in the speeches.

Regarding their action to throw open the sessions to the Press and the Public, His Excellency said that it would tend to solve controversial questions of policy and

increase the importance of the Chamber in the eye of the country. Lord Irwin in conclusion wished all prosperity to the Princes and their States.

The Chamber then adjourned *sine die*.

## The Princes' Deputation to Viceroy.

The following is the text of the resolutions passed unanimously at the conference of the representatives of 60 States held in Bombay from the 20th to 26th June 1929 and presented by the Standing Committee of the Princes' Chamber to H. E. the Viceroy at Poona on the 28th June as an informal expression of the Princes' opinion :—

### 1. Plea for Direct Relationship with the Crown.

"Without prejudice to a final expression of the views of the Indian States on the report of the Indian States' Committee and to such future action as may be deemed advisable by the Indian States, this informal conference of Indian States records its satisfaction at the Indian States' Committee's recognition, in certain important respects, of the correct position of the States as instanced by their findings :

"(a) that treaties, engagements and sanads have been made with the Crown and the relationship of the States to the Paramount Power is a relationship to the Crown :

"(b) that these treaties, engagements and sanads are of continuing binding force between the States which made them and the Crown :

"(c) that it is not correct to say that the treaties with the Indian States must be read as a whole :

"(d) that the Viceroy and not the Governor-General-in-Council should in future be the Agent for the Crown in all dealings with the Indian States.

### 2. The States and the British India

"Whilst welcoming the attainment by British India of her due place among the British Dominions under the aegis of the British Crown, this conference expresses gratification at the Indian States' Committee's recognition (a corollary of the true constitutional position of the States) that the relationship between the Paramount Power and the Princes should not be transferred without the agreement of the Princes to any third party, which recognition leaves the door open for negotiations between the States and British India with a view to arriving at an equitable and satisfactory arrangement on terms fair and honourable alike to British India and the Indian States.

### 3. Financial Readjustments Urged

"This conference expresses its appreciation of the recognition of some of the claims of the States to relief from the existing financial arrangements which adversely affect the States and their people in a variety of directions, and expresses the hope that the personnel and procedure of the independent expert committee which, it is proposed, should explore the financial and fiscal problems, shall be settled in consultation between all the parties concerned.

### 4. Intervention by Paramount Power

"This conference expresses its disappointment at certain unsatisfactory aspects of the report which is prejudicial to the interests of the States and India as a whole as well as of the Empire, such as :

"(a) the failure of the Committee after its admission that the sovereignty is divided between the Crown and the States to draw any such dividing line as would place

the rights of the Crown in regard to the States upon a definite as opposed to discretionary basis :

"(b) the assertion of the Committee that intervention on the part of the Paramount Power which is not justified by the spirit and letter of the subsisting engagements may be justified on the score of imperial necessities and the shifting circumstances of time :

"(c) the omission of the Committee to recommend that the existing machinery should be made satisfactory and effective for the purpose of adjudicating upon matters affecting the subsisting engagements, such as the internal autonomy of States and disputes between States *inter se* :

"(d) the contention of the Committee that usage and sufferance, without the free consent of the States, and executive decisions are capable by themselves of modifying the imperial rights solemnly guaranteed by treaties and engagements and reaffirmed by successive Royal proclamations :

"(e) the failure of the Committee to distinguish between sanads that are in the nature of agreements with and those that were imposed on the States :

"(f) the implied opinion of the Committee that usage based on the cases of individual States is a source of paramountcy applicable to the States as a whole despite their admission that the treaties cannot be read as a whole ;

"(g) the failure of the Committee to provide effective means of securing to the States their rights in matters of common concern to India as a whole.

"5. This conference believes that these and other questions now at issue between the British authorities and the States and British India can, at the present stage, be best solved in personal discussion with His Excellency the Viceroy and by recourse to frank and friendly negotiations, and authorises the Standing Committee of the Chamber of Princes to take such necessary action between the present date and the meeting of the Chamber of Princes in February 1930 as would facilitate this task.

"6. This conference authorises the Princes on the Standing Committee to communicate informally to the Viceroy, at a meeting to be held at Poona on the 28th June, its tentative views regarding the various findings and recommendations of the the Indian States' Committee.

"7. This conference reaffirms the resolution of the Princes to devote to the moral and material progress of the subjects of the States the advantages resulting from the removal of those inequitable financial burdens whereunder the States at present labour.

#### 8. Reforms in the State.

"This conference, while appreciating the response already made in certain directions, invites the attention of the States' Governments to the resolution regarding essential reforms passed in the Chamber of Princes on the 23rd February 1928, and emphasises once again: the supreme importance of giving full effect thereto."



## The S. I. States Peoples' Conference

The first session of the South Indian States Peoples' Conference was held at Trivandrum in the Travancore State on the 14th January 1929 under the distinguished presidency of Sir M. Visveswaraya. The following is the full text of the address delivered by him on the occasion :—

The questions connected with Indian Reforms have reached an important stage and we have met here to assist in their right solution and to safeguard in so far as in us lies, the interests of the people of Indian States in any organization that may be set up for the future governance of India.

It is a pure accident that this conference is held in Travancore. To invite us here bespeaks the confidence the local leaders have in their own Government. So far from being a reflection the conference is itself a compliment to the State and to the gracious lady who presides over its destinies as Maharani-Regent.

This is a critical time in the political life of our country. The people of British India are struggling to get the Dominion Status. The Indian States people should help them if they can but do nothing to hinder their progress. At the same time we want to urge that all parties including the States' people should join hands at this juncture and attempt a permanent solution of the problem of responsible government for India. While our immediate object is thus to voice the States peoples' views, we should not overlook the fundamental fact that the problem of Indian Reforms is one and indivisible and cannot and ought not to be envisaged otherwise than as a single problem. In what I am about to say, I shall endeavour to refer to Indian reforms in outline and the place of Indian States therein in some detail. My address will deal with the Indian problem as a whole though chiefly from the States Peoples' point of view.

You are aware that the Indian States Peoples' Conference which met in Bombay in December 1927 sent a deputation to England towards the latter half of 1928 to press their views on the attention of the Butler Committee and the authorities in Whitehall. The Butler Committee, we understand, received a memorandum from that body but was unwilling to meet the deputation itself in person. The deputation did the next best thing; they made known to the British public the disabilities under which the people in Indian States carried on their existence and gave voice to their legitimate demands. I know you will wish to convey to Diwan Bahadur M. Ramachandra Rao, who led the deputation, and to his colleagues our high appreciation of, and warm acknowledgments for, the services they have rendered to the States Peoples' cause on this occasion.

As a result of the visit of the Princes and presumably also of this delegation to England a debate was raised in the House of Lords on the position of the Indian States on the 5th of last month, at the instance of Lord Olivier, formerly Secretary of State for India. The debate showed that the British Government had formed no idea till then as to what the future constitution of the Government of India should be and what place in that constitution the Indian States should occupy. Judging from the recent pronouncements on the subject, one fact stands out clear. No one in high authority seems concerned in the betterment of the people residing in Indian States. In discussing future policies for the constitution of this country, they all seem to forget the specific disabilities and needs of this vast population.

As the Indian States occupy 40 per cent. of the total area of the country and contain 23 per cent. of its entire population, I venture to assert that no scheme devised for the future government of India can afford to ignore them. No constitution which may be set up, unless it makes due provision for safe-guarding the future interests of this not negligible population can be regarded as satisfactory or will have any element of permanency in it.

### SIMON CONSTITUTIONAL REFORMS

Under the first instalment of Reforms inaugurated by the Parliamentary Act of 1919, what is known as the dyarchical form of government was introduced into the provinces of British India and simultaneously, the number of Indian Members in the

Executive Council of the Governor-General was increased from one to three in a total of seven. As an extension of the reforms referred to, is due at the end of ten years from the date of their inauguration, the British Government, on November 8, 1927, appointed a Parliamentary Commission under the presidency of Sir John Simon to enquire "into the working of the system of government, the growth of education and the development of representative institutions in British India and matters connected therewith" and to "consider how far it is desirable to extend, modify or restrict the degree of responsible government now existing in British India."

At the instance of the Indian Princes, the Government of India, with the sanction of the Secretary of State, appointed on December 16, 1927, a committee presided over by Sir Harcourt Butler to report upon questions affecting the political and financial relations existing between the Government of India and the Indian States. When these two bodies have submitted their reports, the British Government in England are expected to come to a decision regarding the future constitution for India and the place which the Indian States should occupy in it.

The instructions to the Simon Commission are merely a repetition of the formula laid down by Mr. Montagu ten years ago and are wholly formal and technical. As is well-known, the Indian public never took kindly to the original reforms and they have expressed thorough dissatisfaction with the composition of the Commission and the methods of enquiry pursued by them.

The Butler Committee seem concerned with the records of Treaty rights and States' Finance. They have so far afforded no evidence of their concern to the needs of the 70 millions of people whose good government is, or ought to be, their primary concern.

There is no open dealing, no largeness, no magnanimity, no gesture of generous treatment in the proceeding of either of these bodies.

There are four parties interested in the decision of these momentous questions, namely, (i) The British Government and the British people; (ii) The Indians residing in British India; (iii) The Princes ruling the Indian States; and (iv) The Subject People of the States.

Judged by their recent declarations, the British Government and the British people seem interested in maintaining the present system of government as long as it may be possible. The Princes ruling the Indian States seem interested in continuing their rule over their subjects practically unimpaired and they are disinclined to come under any future Government of India, which may be responsible to an elected Central Legislature. The people of British India have by persistent agitation secured, under the Parliamentary Act of 1919, certain elementary reforms in their constitution and they are at present demanding an enlargement of the same into the Dominion form of government. The people of Indian States represented at this Conference want some form of responsible Government for themselves in their respective States and a fair share of voice in any future constitution of the Government of India which may exercise control over their affairs. There will always be individual exceptions but the above is, I think, a fair description of the attitude and viewpoint of each of the four parties concerned.

#### THE CHAMBER OF PRINCES AND ITS POSITION.

Since the inauguration of Reforms in British India in 1920, some of the Princes of Central and Northern India organised among themselves and secured from the British Government the establishment of an Assembly known as the Chamber of Princes, which was formally inaugurated by H.R.H. the Duke of Connaught, on February 8, 1921. The total number of Ruling Princes is 662. But it is understood that about 200 of them are of great importance and of these 108 Princes are members of the Chamber of Princes in their own right, while other Rulers are entitled to elect representatives to the Chamber.

The Chamber of Princes which has for its object the protection of the Treaty rights and privileges of Princes and their States, meets twice or thrice a year at the headquarters of the Government of India and it has opportunities of discussing with the various departments of the Government of India matters in which the administration of both the States and British India are interested.

When the appointment of a Commission to investigate the question of the further

instalment of Reforms in British India was mooted, the Princes urged and obtained, as already explained, the appointment of a Committee which has since taken shape to define the future relations between the Government of India and themselves under any new constitution that might be evolved.

A large number of Princes from Central and Northern India visited England in a body to represent their views before the Butler Committee and presumably also to the Secretary of State for India, and obtain assurances regarding their future position in any new scheme of Reforms proposed for British India. Neither the Butler Committee nor the British Government appear to have given any encouragement to the specific changes put forward by the Princes. So far, the theories enunciated by Sir Leslie Scott on behalf of the Princes have not met with any general acceptance except from some belonging to the order of the Princes. The nearest approach to them from any responsible body is perhaps the view set forth in the Memorandum submitted to the Simon Commission by the European Association of Calcutta.

At present the affairs of the States are controlled by the Government of India. The portfolio of the States' matters is held by H. E. the Viceroy himself with the assistance of a Political Secretary to Government. The demand of the British Indians is for the establishment of the Dominion form of government and if that claim be conceded the Government of India will become practically a Government administered by Indians responsible to a Central Legislature. The Princes somehow seem disinclined to be controlled by a Cabinet of their own countrymen, probably on account of the novelty of the idea. They evidently desire to see an independent organization set up so that the affairs of the Indian States may be administered by H. E. the Viceroy and the British Cabinet, as representing the Crown, instead of by a Cabinet composed of their own countrymen.

As regards reforms in British India, many of the Princes seem to welcome them but so far, they have made no declaration on their own part that they will extend similar reforms within the sphere of their own Governments.

As Viscount Peel explained in the Lords' Debate last month, H. E. the Viceroy in his speech announcing the appointment of the Indian States Committee took the opportunity of reminding the Princes that in his view the more their administration approximated to the standards of efficiency demanded by enlightened public opinion elsewhere, the easier it would be to find a just and permanent solution of the problem of the future relations between the States and British India. But few Princes seem inclined to take kindly to the hints. However much the people of Indian States may deplore their policies in relations to their own subjects, it must be acknowledged that some of these Princes are able and accomplished men of whom we, as Indians, may justly feel proud. The people of certain of these States, especially in Northern and Central India, who largely wield authority in the Chamber of Princes, have not the education that some of the States in Southern India—like Travancore—have. Although they must know that education is the root of all progress, with the exception of perhaps Baroda, none of these Princes has, to my knowledge, made elementary education compulsory and free.

It must be mentioned in this connection that the the Chamber of Princes is not attended by the Rulers of larger States like Hyderabad, Mysore and the like and so to this extent, it may be said that the views of the Chamber of Princes are not wholly representative of their class and are not shared alike by the more important of them.

#### DISABILITIES OF THE INDIAN STATES' PEOPLE

The people of Baroda, Hyderabad, Mysore, Travancore, the Rajputana States, the Kathiawar and other States have been holding meetings in recent years with the object of securing Responsible Government from their respective Rulers with the approval of the British Government. This cannot be described otherwise than as a legitimate move. It is only in recent years that the people of the States have by means of conferences and committees begun to make their voice felt. Since there is no one in authority interested in improving their position, it behoves them to come together, collect necessary funds and work under the banner of energetic leaders till all their reasonable demands are conceded.

People who pay taxes possess the undoubted right to settle how the proceeds shall be most advantageously spent on themselves collectively. In most States, expenditure is incurred without a correct perspective of the wants of the people and in some cases not all the money is spent in the right manner. The chances of good administration in any State under the present system are always slender. It is well understood all over the world that a long period of preparation is necessary to hold with credit the responsibilities of any high office or business. The choice of persons in whom power or authority can be vested is restricted to few. Unlike the practice obtaining in Great Britain and British India, in Indian States an appointment is often given to a person on the score of the services or merit of his father. There is no duty imposed on the States to train their own people for high office or responsible positions. The result is that when high appointments fall vacant, men with the requisite training and qualifications are not ready and outsiders have to be imported or favourites appointed. If outsiders obtain office they naturally manage to keep the power in their own hands for a long time. And while new orders of nobility are thus being created, the poor taxpayer remains where he was without favour or encouragement. Beyond insisting on retaining their power of patronage, the responsible authorities have evinced to steadfast interest in training or benefiting their own people. It is high time that conditions were created in the States so that local talent, ability and worth might obtain their due recognition.

If the people of British India obtain a democratic form of government there is no reason why the people of Indian States, many of whom are equally efficient, should not have at once a form of government approaching at least a constitutional monarchy. There is no instance of any State in any part of the world which is ruled on the medieval principles that the Indian States at present are, that has risen to a position of power, wealth or enlightenment in the commonwealth of States.

The autocratic form of government is—using the term in its primary sense—now becoming rare in every part of the world. Even China, Persia and Afghanistan have become or are fast becoming democratic. Most European Governments which retain the monarchical form have become “responsible” in effect. Why then should India alone be burdened with a form of government so prejudicial to peoples’ progress at this juncture? That is a question that deserves to be pondered to-day.

Whatever the present delays, the time must come, and that very soon, when the people will strive for and obtain responsible government. Those Princes who appreciate the tendencies of the times and encourage their people to acquire knowledge, skill and wealth, will make themselves doubly acceptable to the people as constitutional Sovereigns and make them more than merely secure. By helping their subjects in their efforts at self-improvement, the Princes will be safeguarding the future interests of their own dynasties.

At a time when His Majesty the King Emperor and the British people are parting with their power, is it too much to expect the Princes of India that they should do their bit for their own peoples and place them in a position to acquire efficiency and prosperity, neither of which is, as experience has shown, possible under a non-responsible Government?

#### ATTITUDE OF BRITISH INDIANS TO THE STATES PEOPLES’ CASE

The policies and wants of the British Indian population are now set forth in the Nehru Committee Report. What that report assumes is that the Government of India should be reckoned the supreme authority and that it should remain so under the future Dominion Government. A leading Ruling Chief recently remarked that the Princes were prepared to entertain the idea of a Federation such as has been proposed in the memorandum presented to the Simon Commission by the European Association of India. In regard to this offer, the Nehru Committee in their supplementary Report have remarked: “If the idea of a Federation is being entertained seriously, we would suggest that the Indian Princes might give consideration to the proposals put forward by Indian politicians also. An Indian Federation, if it is to be a reality, must not only define and regulate the relations between the Commonwealth and the States on a just and equitable footing but must also lay the foundations of a strong central authority and at the same time should give the fullest measure of freedom to each constituent unit to work out its own evolution.”

The subjects of Indian States have no quarrel with a proposition like this. But as they are amenable to the Acts passed and the Rules framed by the Government of India in a number of departments of Civil Administration, they justly claim a voice in framing those Acts and Rules and therefore a representation in the Central Legislature.

The idea of a Federated India defined here is in essence not different from that aimed at in the Nehru Committee Report. If the Committee have not expressly committed themselves to a Federal system it is because they wish to go along the line of least resistance. But the Committee are not unwilling to admit Indian States into the Indian Federation if they wish to come in and if the British Government interpose no obstacles in the way. For the time being, they do not wish to associate themselves too closely with their poorer relations, the Indian States subjects, lest they should introduce complications and create obstacles in the way of achieving their own ends. This is an attitude which is not only understandable but also one with which we should deeply sympathise. We should not embarrass them in any way in their efforts to secure the Dominion form of Government.

#### WHAT THE STATES PEOPLE WANT

"No taxation without representation" is a recognised canon of government all over the civilized world. Since the subjects pay taxes to the State Governments, they should have a voice both in the administration of their funds and determination of their funds and the determination of their policies. Some of the State Governments are monarchies of the most archaic type. If we are to continue to have a monarchy, it is necessary that it should at least be of the modern type, and that type is without question a constitutional monarchy associated with representative institutions.

The States' subjects pay taxes indirectly to the Government of India and since that Government controls their external relations and decides also many of the internal social and economic questions for them, it is but fair that they should have a voice also in the finances, administration and legislation of the Central Government. It is thus only a Federal system that could satisfy the conditions of the problem as we find it in India to-day.

The proportion of literate persons among the Indian population is only 8·2 per cent. Mass education has been neglected till now both by the British Government and the State Governments, barring a few honourable exceptions. Travancore, I am glad to say, is foremost among these exceptions. The form of education given has proved sterile. It makes humble, but not self-reliant, citizens. It does not help to increase production and it does not train young persons in the practice of the professions. Such education should without delay be replaced by one of a more truthful form.

In a well-managed modern State industries and trade provide more than half the income of the people. Under Indian conditions nearly three-fourths of the population live on the lowest form of occupation, practised in the most primitive manner, namely, agriculture. No one in authority seems concerned about this. There is no active interest in the powers that be to develop industrial life or spread sound ideas of economic progress among our people.

In the matter of defence, the States have been content with protection from the British Government instead of training their own people to learn to defend their hearths and homes. This is an elementary duty which every human being owes to his own family and community. The British Government would not and the States could not do anything to improve the position of the people in this important respect.

In Western countries all local affairs are managed by local bodies—boards, councils, etc.—in the sphere of local self-government. The local bodies give the people a training in the management of their affairs which often proves serviceable in the higher spheres of administration. In the Indian States particularly, local officials are dependent for their office on the pleasure of the men in authority, and they possess consequently no initiative. They generally do only what will please those men most and not what the interests of the people at large imperatively demand.

As Sir Leslie Scott, the counsel for the Princes stated recently before the Butler Committee, the material resources in the States awaiting to be developed are enor-

mous, but they are not utilised except when foreign experts are invited to handle them. The simple reason for this is that the States' Government have no idea of training their own people. Some of them even seem averse to training leaders, experts and administrators from among their own people for fear of increasing their importance.

In a country like the United States of America, on the other hand, people take a pride in each others' prosperity and encourage every individual to develop his power and resources to the utmost ; them have opportunities of rising to the highest offices, not excluding that of the President of the States.

The wealth of the country is derived by the work of its people. In the West State organisations provide both training and work for their people and the country reaps a rich harvest. Here on the other hand, material resources remain undeveloped, and the brain power of the country is allowed to lie fallow to the permanent injury of the efficiency and earning power of our people. In this sense many of the States' administration are, I regret I have to state, unpatriotic, if not out of date.

I think I have said enough to show that the present forms of Government, both in British India and Indian States, are ill-calculated to meet the wants or advance the interests of the people as a whole and, if they are to be beneficial in future, must undergo a rapid and a radical change.

#### RESPONSIBLE GOVERNMENT WITHIN THE STATES

Under a Responsible Government, the Chief and his people should manage their affairs jointly as in any European Monarchical State. By Responsible Government within a State is meant a system under which the administration is conducted by an executive council or cabinet composed only of members of the local legislature who can command the support of the majority of the members of that legislature. If the legislature consists of two Houses, this majority should be of the House which in practice has the sole control of the powers of taxation and appropriation. The Ruler of the State will exercise most of the powers of external control which in the case of the Provincial Legislatures and Governments will be exercised by the federal Governments.

The following might constitute the principal features of Responsible Government :—

There should be in each State at least one Legislative Council composed of elected members.

(2) When the Legislature consists of only one House, it is suggested that a body of about twenty-five honorary advisers be selected from among men of light and leading within the State to constitute an Advisory Council whom the Ruler might consult in emergencies especially when, in his opinion, the Legislative Council takes up an attitude opposed to the primary interests of the State.

(3) The Executive Council or Ministry should be chosen from among the members of the Legislative Council and be responsible to it, while the Chief Minister should be acceptable to the Ruler.

(4) The Civil List of the Ruler should be permanently fixed. Any special expenditure to be incurred on his account on extraordinary occasions should be voted for by the Local Legislature.

(5) The Judiciary should be outside the control of the Executive.

(6) Simultaneously with, or before the introduction of, Responsible Government, the Ruler should announce the concession of the elementary rights to his subjects :— Safety of person and property ; Right of association and meeting ; Freedom of speech ; and Freedom of the press.

(7) Among the obligatory duties of each State should be included certain minimum nation-building activities on its part necessary for a self-supporting State in respect of education, industries, defence and self-government. Special progress reports and summaries of results under these activities should be published at least once a year in each State.

#### A FEDERAL CONSTITUTION FOR INDIA.

We have at present, in India, Provinces directly under British rule working under

Governors, and we have also Indian States under the rule of hereditary Princes. Both these are under the control of one common Government—the Government of India. After the introduction of the Dominion form of Government, a strong Central Government will even more than ever be necessary and consistently with its maintenance, the Provinces and the States should enjoy the fullest measure of autonomy.

A study of the history and example of the Dominion of Canada, the Commonwealth of Australia, the Commonwealth of Germany and the United States of America, will leave no doubt in our minds that a proper constitution for India in its present circumstances is a Federal Government which should include in its fold both British Provinces and Indian States. The Provinces and the States to be federated are so far akin that the duties of the Central Government on their behalf will be very nearly common; at the same time, these two classes of territorial divisions have other dissimilar features which prevent their fusion into one single body politic constituting a unitary system like that of Great Britain.

The essential features of a Federal constitution should be somewhat as follows :—

(1) The Federal government of India should consist of a Governor-General, a bi-cameral Central Legislature and a Cabinet responsible to that Legislature.

(2) As the subjects to be dealt with by the Central Government will be largely common both to Provinces and States, although varying in degree, representatives from both Provinces and States should be elected to the two Chambers of the Central Legislature.

(3) On questions of common interest, common to both Provinces and States, which come up before the Central Legislature, the representatives from both will take part in the discussions and voting. The representatives of Indian States will abstain from the discussions and voting in respect of questions which pertain purely to Provinces.

No special inconvenience need be apprehended by these States people not being held eligible for voting on Provincial subjects. There are analogies, if analogies are required to commend this provision. The House of representatives in the U. S. A. admits a delegate from each organised Territory. The delegates from such Territories have the right to speak on any subjects and to make motions but not to vote. The delegates are elected in the same manner as the representatives. Similarly, the Northern Territory in the Commonwealth of Australia elects a member who is not entitled to vote but can take part in any debate in the House.

(4) The Central Government should consist of a Cabinet comprising of 12 to 20 Members with a Prime Minister at the head and responsible to the Dominion Parliament.

(5) The States whose rulers are represented, or are entitled to be represented in the Chamber of Princes, should have the right of sending elected representatives to the Federal Government. In the case of the smaller States an arrangement may be come to under which Provincial Governors will, as in the past, exercise the necessary control on behalf of the Central Government. For purposes of representation in the Federal legislature, these States may be grouped together, and representatives elected from the groups on a population or other basis.

(6) The Chamber of Princes will continue to represent the interests of the Princes, their dynastic claims, and their personal rights and privileges. A committee of the Chamber of Princes will discuss all such questions with the Governor General's Council and in case of disagreement, the questions may be referred for settlement to the British Government or to a sub-committee of their peers and representatives of the Government of India in equal proportions. There may be special provision in the constitution to this effect so long as the great majority of the Princes desire to favour such a procedure.

(7) If any unwillingness is expressed or difficulty raised on the score of treaty or privileges to the deputation of representatives from any State to the Central Federal legislature, the seats may be kept vacant in that legislature till the State authorities and people choose to appreciate the position and claim representation. Since they have interests and rights which will be affected by the decisions of the Central Legislature, sooner or later they are sure to claim their right.

Provision should be made for seats in the central legislature for representatives.

from the States to the extent contemplated but at the commencement it should not be obligatory for all the States to send representatives whether they will or no.

Also it should not be held to be obligatory for the States to introduce Responsible Government in their midst before they can send representatives to the federal legislature. It is not desirable to provide too many restrictions at the very start. They can all be enforced in good time with the consent of all parties concerned.

One thing seems certain. With a strong central government and legislature, no minority interests are in the long run liable to be overlooked. For our present purposes, it is not necessary to go into questions like the Supreme Court, franchise and other matters associated with federalism. Once the main scheme is accepted, there are abundant precedents, applicable to the circumstances of our case, to choose from.

### THE PRINCES IN THE NEW CONSTITUTION

It is now widely recognized that a country cannot prosper in these days without having some form of Responsible Government to guarantee safety of person and property, scope for initiative and security of business and credit. The British Government and British statesmen have advised the Princes, in general terms, to adopt modern systems of government. But they have not expressly urged the introduction of Responsible Government into the States for the reason that they themselves have no conception as yet of a complete form of such government for British India.

With a few honourable exceptions, the Princes have shown a sort of proprietary interest in their subjects and nothing more. The exceptions are so few that it might be remarked that, as a rule, they have not actively helped to lift their subjects either politically, economically or socially. A few of them are even jealous of their rise. "Most if not all of these Principalities are arbitrary and absolute governments," said Lord Olivier in the Lords' debate "Everything depends," he continued, "upon the autocratic will of the Sovereign. With regard to the laws, with regard to administration of revenues, with regard to the appointment of justices and with regard to many matters which, in our own constitution, have been taken out of the power of the Sovereign these matters are there absolutely within the power of the Sovereign, and are liable, and sometimes subject to abuse. That is a position which is very keenly recognized by a great number of the Indian subjects of these Princes."

The Princes should, in their own interest, adjust their position to the changed times; they should move of their own accord to introduce Responsible Government among their peoples and come forward to support the Federal idea and claim a voice for themselves and their subjects in the future Central Government on equal terms with the Provinces.

This is a time for taking large views and extending generous sympathies towards their subjects and fellowmen. The Princes must be aware that until about 1908 their own authority within their States was more or less precarious. The British control over the affairs of the Indian States was, till then, even in some of the leading States, pretty rigid. The British Resident had his invariable say on all important questions of political or economic interests affecting the State; and, it is believed, that the Princes were not permitted to freely correspond with one another. Now that they have some measure of freedom conceded to them, it seems but right that they should seek to share it with their own subjects and actively help to raise their joint prosperity and status in the estimation of the world.

As I have remarked already, it has to be remembered that in granting Responsible Government to the people of British India, His Majesty the King Emperor himself is parting with some of his powers and prerogatives. In Japan the Samurai or the ruling class surrendered their privileges when a strong Central Government had to be organized about the year 1868. So should the Princes of their own accord part with some of their own powers and prerogatives so that their States may rise in public estimation and create the facilities requisite for their moral and material advancement.

If timely concessions are made the Princes will secure the respect and gratitude of their own peoples. It has to be borne in mind that in taking stock of the results,



the interests and conveniences of 500 or 600 Princes have to be weighed in the balance against the prosperity and happiness of over 70 millions of people.

There is also this further thing to remember. When the British Provinces once become autonomous, as they must within a few years, there is no manner of possibility of keeping the States' people content with any form of absolute monarchy. So even on the lower ground of ordinary prudence, it will be in the interests of the Princes to deal with the situation in a liberal, if not a wholly generous, spirit.

#### SAFEGUARDING BRITISH INTERESTS

The key to the situation is still, in certain fundamental respects, in the hands of the British Government, who have an opportunity of rendering a great service to this country by initiating all at once a scheme of Responsible Government for the States, Provinces and India as a whole, on a sound and secure basis.

A compromise may, perhaps, help to some extent to reduce the opposition from British vested interests. This possibly lies in the direction of guaranteeing a reasonable measure of employment to persons of British nationality and granting protection, legislation or otherwise as may be found necessary, to existing British-controlled industries and trade to sterling debt and British financial interests. One condition only need be insisted upon in giving these guarantees, namely, that none of these concessions should come in the way of the absolute autonomy of the new Dominion or of the nation-building activities already referred to. In this way, satisfactory arrangements can be made to secure scrupulous justice for British interests under Indian Dominion Rule.

The losses which the country may sustain by any liberality in this respect will be more than compensated, if thereby free scope is secured for finding employment for the generality of the people of this country and for developing its resources. The development of the country would proceed at double or treble the present rate, were Indian energy and intelligence systematically trained and utilised for the purpose.

The British, too, stand to gain enormously by liberal concessions at the present time. It must be recognised that ultimately the permanent co-operation between the two countries must be based on enlightened self-interest. If the relations continue to be strained British rule must drift until it partakes of the character of a real military occupation. Racial ill-feeling is likely to grow, perhaps leading to the boycott of British goods as such and the fomenting of strikes which may cause irreparable injury to British financial and trade interests. The good-will of Indians would prove a useful asset for British trade. A peaceful evolution can be secured only by substantial concessions to Indian settlement in good time. Here is an opportunity for Britishers in India and their supporters in England. Will they grasp it or let it go? It is for them to answer.

If the British Government and the British people do what is necessary for the real prosperity of this country and the growth of Indian enterprise, by granting the Dominion form of Government there will be abundant opportunities for co-operation between the Europeans and Indian leaders, and capitalists too, to the lasting prosperity of the country as a whole. In that event, the British people will increasingly continue to find employment in India, both for their capital and energy as they have hitherto done in the Dominion of Canada.

#### THE PROBLEM BEFORE THE COUNTRY : A SUGGESTED SOLUTION

In the Lords' Debate, already referred to, Viscount Peel, the Secretary of State for India, stated that until the Simon Commission and the Butler Committee had submitted their Reports the material upon which to proceed to whatever future consideration may be necessary of questions either as to the relations between the Paramount Power and the States or as to the relations between the States and British India would not be available. Any definite scheme with reference to the relations of the Indian States with the Government of India would be equally premature. He also added that the British Government would advise the States to introduce changes in consonance with modern conditions, though such questions did not properly come within the purview of the duties of the Paramount Power.

So it would appear that British statesmen are awaiting reports from the Commission and the Committee they have appointed before they lay down the main lines of

advance. British statesmen know already too clearly the true inward state of thing and the real wants of this country. If they were in earnest, they could easily have laid down the main outlines of an enlarged constitution and appointed a Commission to work out the details :

The ideal of the Dominion form of Government was laid down in August 1917 but no real effort has been made to prepare the country in the direction of that ideal by deputing representative public men and Indian officials to any of the Dominions to study the essential features of that form of Government in actual operation. Even the very name "Dominion Government" is eschewed in official pronouncements. In thus un-necessarily delaying preparations, the British Government have roused public opposition and irritation, which is doing great injury to the future peace of the country.

Neither in the terms of reference to the Simon Commission nor in anything relating to their announcement, is there one word of encouragement, enthusiasm or hope added to the stale formula which was laid down in the Government of India Act a decade ago.

Be that as it may, it is to be hoped when the reports are received, the British Government will arrange for a Round Table Conference with the leading representative Indians and take steps to authoritatively lay down a scheme which will stand the test of time. In our opinion, provision should be made in any suggested scheme for the following essentials :

- (1) A Federal Union of British Provinces and Indian States.
- (2) Establishment of Responsible Government within the States within a reasonable period, in no case exceeding 15 years
- (3) Reasonable guarantees for British trade, industry, investments and other vested interests to render future developments easy and harmonious relations possible.
- (4) Guarantees for the maintenance of the rights and privileges of Rulers of Indian States so that there may be no hindrance to the establishment of constitutional monarchies under a strong Federal Central Government.

If a constitution sufficiently liberal and having elements of permanency in it is outlined, the elaboration of the details might be left to a Commission composed of a majority of Indians who should be instructed to get into touch with the Dominion Governments by deputing officials and non-officials or even otherwise, for the purpose. The new Dominion Government can be started on its career within 12 months of the appointment of such a Commission.

The Dominion Preparations Commission will prepare proposals for new departments, new procedures, etc., as required which, after approval by the Central Legislature and Central Government, may be given effect to one by one. This Commission should be maintained for 5 to 10 years, that is, till the present form of Government is completely transformed in essentials into the Dominion form and the old order changed into the new.

Simultaneously with the establishment of the new Government and Legislature separate Commissions should be appointed to assist the Ministers concerned to speed up progress in the four nation-building departments of Defence, Industries, Mass Education and Local Self-Government. Until these activities are greatly augmented the wherewithal for sustaining a Responsible Government would be found lacking and the permanence of the Dominion Government would itself be jeopardized. Separate Commissions may also be necessary for Inter-State Commerce and for External Affairs and Trade.

#### ORGANISATION AND PROPAGANDA

The awakening among the Indian States' subjects and their desire to fall in line with the rest of India and demand a voice in the settlement of their common future constitution have come none too soon.

But it is not possible to expect any consideration for their objectives unless the people of the great majority of Indian States unite and bring pressure to bear upon the British Government. They should make it quite clear that no scheme of Responsible Government for India will be permanent or prove satisfactory if the Indian States' subjects are kept out of it.

A fairly large number of peoples' associations have sprung up in recent years,

representing individual States or groups of States to agitate for constitutional government. But a strong central organisation is necessary to conduct the work of them all and carry on propaganda throughout the country and all the year round. It is presumed the Indian States Peoples' Conference in Bombay will take up this duty. A Working Committee of 3 to 5 responsible men and a paid office staff will be needed and it should be maintained from contributions made by the people of individual States and regional associations. It would be a business procedure to pay an honorarium to and the actual travelling and other expenses of every member of the Working Committee.

The work will not be over if you get a Federal Government for all India and a promise of Responsible Government for the States. A sustained propaganda will be necessary and should be carried on to spread sound views on these questions and to watch progress in the realisation of Responsible Government from year to year and even month to month.

### CONCLUSION

The States people have to-day their eyes and ears open. Their demands are a Federal Constitution for all India and Responsible Government within their own States. The rest are matters of detail. The question would prove easy of solution if the British authorities and the Indian Princes took a broad view of their responsibilities and consulted the permanent rather than the immediate interests of the Indian people and of themselves.

We should not blame our brethren in British India if they seem disinclined to actively or even openly associate themselves with us or champion our cause at the present moment. They are doing pioneer work for us. They need all their energy and resources to safeguard their own immediate interests. There need be no clash with the Nehru Committee Report which in the main is conceived on just lines. Nor is there any need to unnecessarily antagonise the Princes. Their opposition to the demands of their subjects springs from their instinct of self-preservation. But they are greatly mistaken if they expect that they will be able to maintain their personal rule over their people without their goodwill or consent for all time to come. Nor is it to their permanent interest that they should take up such an attitude.

The peoples' standpoint at present is one of undisguised distrust and impatience; distrust because the British Government is seeking to make all manner of excuses for initiating a real start, and impatience because every year's delay in introducing Self-Government is so much loss to the people, so much of a distinct set-back in the country's attempt to fall in line with progressive nations. As that outspoken but thoroughly disinterested journal the "Pioneer," wrote a few days ago: "Few honest observers of modern India can deny that the present policy of the India Office and the Delhi is to deny real unity, oppose self-realisation, self-development and self fulfilment".

Reforms in instalments at the present stage have no meaning. It is like expecting a human body to develop limb by limb—one limb at a time. Being an organic whole their growth should be nursed in an altogether different way; the prescription of stages will mean prolonging the agony of reforms for years.

It is now generally conceded that Britain has done little or nothing to promote the peoples' capacity for defence or for self-government. The British Government would seem to owe some reparation for starving mass education and industries in the heyday of their power. At the present moment, even such developments as they were inclined to advance previously have come to a stand still. The British official has lost interest in the country, but he still exercises sufficient stiffening influence to keep back local initiative. The result is undoubted stagnation and poverty and in certain quarters even despair.

It is in the hands of the British Government to evolve a sound Federal Constitution at once, to insist that the existing anachronism of autocratic government in our midst shall cease and by means of these two pivotal measures, to see a suffering country started on a career of progress to which she has long been a stranger.

At the present time all parties seem to be converging to the same view—the British Press, the Princes and the National Congress—namely, that the Indian States should form part of a Federated India. They have at last come to recognize that the problem of Reforms is the same for all the component parts of India. The

idea hitherto encouraged in some quarters that Indian India should be kept separate from British India has been found to be prejudicial to both. A divided India, as a permanent arrangement, is wholly unthinkable and is fraught with consequence too serious to contemplate.

Gentlemen, some ten or eleven years ago, at the time of the Montagu-Chelmsford Reforms, I was associated with a Committee of Princes and Ministers of Indian States in the discussion of problems affecting the status of Indian States and it was then that I suggested, I believe for the first time, a Federal constitution for all India. Much water has flowed under bridges since then and opinion now is, I am glad to see, moving in that direction. I have spoken out somewhat plainly because, first I make no distinction between the States as such and the subjects forming it; secondly it is in the interests of the Princes themselves, as Ruling Chiefs, to take a larger and a more far-seeing view of their own future, and thirdly, in any constitution that may be evolved for India, the States cannot but come in as an integral part of it. These reforms are suggested after careful deliberation, over years of anxious thought, and if, in what I have stated in this address, I have at times spoken with some emphasis, it is because it is conceived entirely in the permanent interests of both Princes and People. In the last resort, believe me, the strength of a Prince is the strength of his People.

I have at one time or another done some service, small or large, to seven or eight Indian States and have had the advantage of meeting most of the principal Rulers of the States in my time.

I had the privilege of knowing, and on one or two occasions of personally, corresponding with the late distinguished Maharaja of Travancore. There are a number of good, able and accomplished men among the Rulers to-day who can hold their own in any assembly in the world.

If I speak frankly of the Princes as a body and about their future to-day, I do so with a definite purpose. The world after the War has a new vision of governmental functions. You may conceal modern ideas from the more ignorant subjects for a time but you cannot prevent their infiltration from all of them for all the time. The automatic form of government is fast getting out of date; safety lies in open dealing and publicity. The Princes should modernise their States, train the talents of their peoples, pour knowledge and skill into them, and raise them, and themselves rise with them.

At the same time, there is a corresponding duty imposed on the subjects of Indian States. They, on their part, should remember that they are not to be content with offering mere criticism and that nothing will be gained by antagonizing their Rulers; rather, they should make their Rulers feel their identity with them and with their future fortunes. Also, the more enlightened among the States people should offer their services and co-operation to the Princes to help in moulding the thoughts and shaping the destinies of their States in conformity with accepted canons of national efficiency.

## *SECOND DAY—15TH JANUARY 1929*

The Conference re-assembled on the next day, the 15th January, Sir M. Visveswaraya presiding, and came to a close after passing some important resolutions: The following is the text of the resolutions:—

### **1. Dominion Constitution for India Including States**

"This Conference adopts the general principles and provisions embodied in the memorandum in "A Dominion Constitution for India including the States" presented by the Subjects Committee and suggests that it be accepted as the basis for educating public opinion in the country and for negotiation with all political parties as occasion arise."

### **2. Federal Constitution**

"This Conference records its considered opinion that a Federal constitution should be established with the British Indian provinces and Indian States as constituent units in respect of subjects common to both."

### 3. Responsible Government

"This Conference declares that the establishment of full responsible government in Indian States is the immediate aim of the people and respectfully urges the Rulers of the States to grant the same without further delay."

### 4. Fundamental Rights of States' People

"This Conference emphatically urges the Rulers of Indian States to declare immediately the grant of the following fundamental rights of citizenship to their people : (1) freedom of speech and liberty of the press ; (2) freedom of meeting and association ; (3) freedom of worship subject to public order or morality ; (4) right to petition the sovereign and other authorities recognised by law and constitution ; (5) freedom from arrest, detention and excommunication except under process of law as recognised by the constitution and freedom from punishment except by an open trial in a competent court "

### 5. Indian States' Deputation

"The following resolution was then put from the chair and carried :—

This Conference places on record its appreciation of the solid work done by Dewan Bahadur M Ramachandra Rao, and the members of his deputation towards the elevation of the status of the Indian States and authorises the president to convey the same to the deputation "

### 6. A Propaganda Committee

The last resolution adopted by the conference was the formation of a permanent executive committee for the purpose of carrying out the work of propaganda and take such measures as may be necessary in co-operation with the All-India States Peoples' Conference of Bombay and Madras and other similar organisations to promote the objects of this conference.

Mr. Vamana Rao Naik who moved this resolution earnestly appealed to Sir Visveswarayya to accept the presidentship of the executive committee. Sir Visveswarayya said that he had other commitments for the year and therefore he could not accept that office. He had only agreed to preside over the conference. He would however assist the committee in an unofficial capacity as much as he could.

With the usual vote of thanks, the conference was dissolved.

## The States Peoples' Memorandum

The following is the text of the memorandum adopted by the South Indian States Peoples' Conference held at Trivandrum on the 14th January, 1929 :—

### INTRODUCTORY

The South Indian States Peoples' Conference, after careful consideration of the problem of an All-India constitution with particular reference to the needs of the Indian States, desire to put forward the outlines of a scheme of federation which they consider suitable to the special circumstances of this country, indicating the position which the States should occupy in that scheme.

Reforms in the Constitution of British India were sanctioned in the Government of India Act passed by the British Parliament in 1919. The Act provided for the progressive realisation of Responsible Government, and the first instalment of Reforms introduced under that Act has been in operation now for about eight years. Under favourable circumstances an extension of the Reforms at the end of the decade was contemplated by the Act ; and in accordance therewith, a Commission

presided over by Sir John Simon has been appointed to consider the question. But the Commission, so far as published information goes, has no specific instructions to deal with the States.

The affairs of the Indian States are at present controlled by the Governor-General with the aid of a Political Secretary and an Executive Council of seven members of whom three are Indians. With the extension of the Reforms in British India, the Government of India will pass into the hands of ministers responsible to the Central Legislature.

The Ruling Princes are anxious to make their position secure in any future constitution ; and at their request, the Government of India, with the approval of the Secretary of State, have appointed a Committee with Sir Harcourt Butler as Chairman to examine and report on the existing political and financial relations between the Government of India and the Indian States, with a view to determine the future position of the States. The general tendency of the Princes' representation before that committee has been to urge that the States should be kept outside the purview of the future democratic Government of India.

There are four parties, with varying view-points and interests, concerned in the solution of the problem.

First come the British Government and the British people who are pledged to the policy of advancing reforms by successive stages in British India, but are undecided as to the scope of the next stage. There is nothing in this policy for the Indian States.

Next come the people of British India who, after years of suffering and tribulation, are demanding the immediate introduction of the Dominion form of Government. The All-parties Convention which recently met at Calcutta has put forward a scheme of such a constitution. But the position assigned to the States in it is inadequate and unsatisfactory.

The third party is the Ruling Princes of Indian States who have not so far shown a disposition to grant Responsible Government to their subjects and thereby to raise their political status to the level in British India, but only desire that their States themselves should be outside the control of any future democratic Central Government.

And lastly come the 70 million people of the Indian States who are under the autocratic or patriarchal rule of the Princes and aspire for Responsible Government in their own States and effective participation in the constitution of the Central Government.

The object of this Memorandum is to set forth the demands of the Indian States' people in the shape of specific proposals which will not be inconsistent with the essentials of the All-Parties' Nehru Committee scheme already referred to.

Recent world-experience gives many unmistakable indications of what the right solution of the Indian problem at the present time should be. The United States of America, the British Dominions of Canada and Australia, and post-war Germany furnish examples of federal unions in which autonomous States leave together under a strong central authority securing the advantages of a unitary system of government.

That Federalism has also been the ideal held in view by British statesmen is proved beyond doubt by the following passage in the Montagu-Chelmsford Report (paragraph 349) :—

"Our conception of the eventual future of India is a sisterhood of States, self-governing in all matters of purely local or provincial interest,.....over which would preside a central government, increasingly representative of, and responsible to, the people of all of them ; dealing with matters both internal and external, of common interest to the whole of India ; acting as arbiter in inter-State relations ; and representing the interests of all India on equal terms with the self-governing units of the British Empire. In this picture, there is a place also for the Native States.

Sir Frederic Whyte, the first President of the Indian Legislative Assembly, makes it clear in his book "India, a Federation ?" (Chapter VII) that the States are entitled to claim a place in the All-India Federation and observes that "the fact

that their Governments vary in character, and present great contrasts to the Provinces, is irrelevant."

Professor A. B. Keith, another recognised authority, draws attention to the present anomaly that the States have no constitutional voice in determining the economic and defence policies of the whole country and observes that there can be no remedy for it "save by co-operation on a federal basis." (The Constitution, Administration and Law of the British Empire, Ch. v pp. 259-261.)

It must be noted that the authors of the Nehru Committee Report (Page 83) have also acknowledged the eligibility of the State for membership of the Indian polity if they would seek it "after realising the full implication of the federal idea."

The implications of Federalism are broadly two ;—(i) all the component units, whether Provinces or States, must be under some form of Responsible Government internally ; and (ii) all alike should submit themselves to the authority of a common Central Government in regard to all external affairs and in respect of all matters of common concern both to Provinces and States.

Whether in formal theory or not, the second condition exists already in actual practice ; and all that is desired is that it should continue after the contemplated change takes place in the character of the Central Government.

The people of the States are eager for reform in both these directions. They earnestly recommend that the frame-work of federation should be so designed that, while accommodating immediately such of the States as are already prepared to satisfy the two preliminary conditions just named, it should be elastic enough to admit others that may choose to come in later.

#### FEDERAL CONSTITUTION.

The constitution of future India will be of the Dominion type and consists of—(a) a Governor-General appointed by the King-Emperor, who will be His Majesty's representative ; (ii) a Central Legislature consisting of two Houses, and composed of the representatives of both Provinces and States ; (iii) a Cabinet or Executive Council consisting of a Prime Minister and from 12 to 20 other Ministers jointly responsible to the Central Legislature, four being chosen from among representatives of the States in the Central Legislature and entrusted with portfolios pertaining to the States ; and (iv) a Supreme Court.

The Central Legislature will deal with two classes of subjects :—(i) of common interest to Provinces and States, (ii) of interest to Provinces only.

Representatives from the States will not vote on questions of the second class which pertain exclusively to the British Indian Provinces.

The present Chamber of Princes will continue to safeguard the special personal and dynastic rights and privileges of the Princes. The Committees of the Chamber and the Executive Council or Cabinet may by means of conferences, come to an understanding agreeable to both parties on all questions of that character ; and the decision of the Governor-General as representing the Crown shall be final in all such matters.

The Provinces and the States will have equal status ; and all questions, whether of common or special interest, will be discussed on that footing.

Some of the smaller States may continue to have political relations with the Provincial Governments as representing the Central Government as heretofore ; but, for purposes of representation in the Central Legislature, the smaller States may be grouped together regionally.

It is possible that some of the States might stand on their Treaty rights and refuse to participate in the Central Legislature at the commencement ; but, when they have come to realise the value of the privilege, they will no longer hesitate to join the federation. The number of seats allotted to each State or group of States in the Central Legislature will be fixed ; and if any of the States abstain from participation, the seats intended for their representatives might be left vacant. When they fully realise that three-fourths or more of the subjects discussed in the Central Legislature affect their interests also, they are sure to come in sooner or later.

Throughout the Dominions, every person of either sex and of whatever race, religion, or caste, who has attained the age of 21 and is not disqualified by law, shall be

entitled to vote at all elections both to the Central Legislature and the Legislatures of the States and the Provinces.

If the Central Legislature is satisfied that the average level of political intelligence among the population of any particular State is much below the general average, it shall have power to relax the above rule and prescribe other qualifications for voters based upon literacy and ownership of property, during the first ten years from the commencement of the new constitution.

There will be no special constituencies in any part of the Dominion based upon race, religion, caste or class, except in accordance with transitional provisions specially made by the Central Legislature for the period of the first ten years after its inauguration.

The Provincial and States' Legislatures shall determine the qualifications for candidature and of the conditions of elections to the General Legislature from their respective territories.

As regards the mode of representation, the alternative may also be considered of permitting the Governments of Provinces and States to send deputies to the Upper House of the future Central Legislature, while the people of both will elect representatives direct to the Lower House.

#### RESPONSIBLE GOVERNMENT WITHIN THE STATES

The government of all Indian States should consist of—(i) the Ruling Princes ; (ii) a Legislature of one or two houses according to the size and circumstances of the States ; (iii) a Ministry of from 4 to 8 members chosen from and jointly responsible in the legislature ; and (iv) a system of Courts independent of the executive to administer justice according to law.

The Dewan or Chief Minister will be selected by the Ruling Prince and the other Ministers will be appointed by him on the Chief Ministers' recommendation.

The Civil List of the Ruler should be fixed, and any alteration in it may be made with the consent of the State Legislature.

There should immediately be a declaration made by the Ruling Prince of every state guaranteeing the following fundamental rights of citizenship to subjects of all classes and communities alike :—

(1) Freedom of speech and discussion, including the freedom of the press ; (2) freedom of public association ; (3) right to petition the Sovereign and other authorities recognised by law and constitution ; and (4) right to be tried by the courts according to law before punishment.

The Legislature should have full control over the budget and taxation and all powers of legislation and general control over the administration.

Independently of the question of Federation, it is imperative that Responsible Government should at once be accepted as the goal, to be attained in every Indian State as speedily as possible within from 5 to 15 years. Whatever the form of the Government of India in the immediate future, the cause of internal reform in the direction of Responsible Government should not be delayed any longer.

If mass education is considered insufficient in any State, it should not be made an excuse for delaying or withholding Responsible Government. The new form of government will itself give an impetus to mass education.

The local affairs of cities, towns and villages should be managed by the people of the locality under a liberal system of local self-government ; and the local institutions should be made independent as far as possible, so that they may serve as a training ground for responsible Government.

#### SUPREME COURT

The Supreme Court will consist of a Lord President and as many other Judges as the Central Legislature may determine.

They will be appointed by the Governor-General in Council and will not be removable from office except on impeachment by the Central Legislature for incapacity or misbehaviours.

The remuneration and other conditions of service of any individual Judge will not be altered in any manner during his continuance in office.

The Supreme Court and Courts subordinate thereto will hear and decide all



cases in law and equity arising under the Constitution, the laws of the Dominion of India, and the treaties and contracts made under its authority.

All citizens of the Dominion, whether of the States or of the Provinces, will be subject to the jurisdiction of the Supreme Court and of Courts subordinate to it in all matters concerning the Dominion Constitution lying within the purview of those Courts.

The Supreme Court will also hear and decide appeals from the High Courts of the Provinces in all justifiable cases other than those mentioned above.

It may likewise hear and decide appeals from the High Court or Chief Court of any State if the State concerned so desires, provided that that State will bear its reasonable share of the cost of maintenance of the Supreme Court.

#### FEDERAL SUBJECTS

The Dominion Government will exercise all powers, including initiative, direction, supervision and control, throughout India (including the States) in regard to the following matters :—

(1) Financial and economic legislation, relating to subjects like customs, salt-tax, currency and coinage etc ; (2) transport and communications like ports and harbour, shipping, railways, posts and telegraphs, etc ; (3) All India Trade and Commerce ; (4) All-India social legislation like Trade Union matters and Age of Consent laws ; (5) All-India investigations and enquiries, like Geological and Botanical Surveys, Census, Vital Statistics, etc. ; (6) All-India emigration and immigration, the protection of Indians in foreign lands, etc ; (7) Standardization of administrative rules and procedure ; (8) the civil and constitutional liberties of citizens ; (9) Inter-State and Inter-Provincial relations ; (10) Defence ; foreign affairs ; Inland peace and order.

It is considered unnecessary to give a list of subjects common to the Provinces only with which the Central Legislature may deal as mentioned in Section 3 (page 6).

(This list is by no means exhaustive, the object here being only to indicate the more important classes of subjects).

#### PROVINCIAL SUBJECTS

The Governments of Provinces (the constitution of which need not concern us here) may be expected to be given full powers of autonomy in regard to departments of administration and matters like the following :—(1) Departments pertaining to provincial and local revenues such as land, forests, excise, tolls, cesses, etc. ; (2) public works including irrigation, provincial and municipal roads and civil buildings ; (3) public health and medical relief ; (4) manufactures, trade and agriculture ; (5) public instruction of all kinds and grades ; (6) administration of justice ; (7) police and prisons ; (8) Local self-Government ; (9) minor ports, ferries, waterways, etc. ; (10) ameliorative measures such as co-operative societies, child-welfare agencies, housing schemes, famine relief organisations, etc.

(For a more elaborate list, reference is invited to the schedules attached to the Government of India Act, 1919, and the Nehru Committee Report.)

#### STATES' SUBJECTS

In all matters not expressly assigned to the Central Government (according to the list above given), the States will continue to exercise their inherent power of autonomy.

In addition to matters similar to those entrusted to the Provinces, subjects of local importance which are peculiar to the States like the following, will lie entirely within their own independent jurisdiction :—(1) Relations between the Prince (and his family) and his subjects ; (2) Relation between the Prince and the Central Government of India, or the British Crown and its representatives ; (3) naturalisation ; (4) recruitment to the public services of the State ; (5) investment, properties and interests of the State (or of the subjects of the State) outside the State ; (6) settlement investments and properties of outsiders within the State.

#### FEDERAL FINANCE

Every citizen of a State pays taxes at present directly to the State Government and indirectly to the Government of India. The indirect taxes are under customs,

tariffs, salt, excise, railways, posts, telegraphs, currency and exchange and so forth. These indirect taxes are the same as those paid by the people in British Provinces, and the entire revenues are now credited to the Central Government without distinction. Hereafter, a statement of credits and debits should be prepared as between the Central Government and the States. Every State will bear its due share of the expenditure incurred by the Central Government and will likewise be entitled to a share of the indirect revenues collected by the latter in the shape of the taxes and duties mentioned.

The Central Government will be performing special services to the Provinces which it will not be rendering to the State unless expressly desired by the latter. The Central Government should prepare accounts to show what proportion of its receipt and expenditure are directly its own, and what pertain respectively to the Provinces and the States, and adjust the balances finally at the end of each official year.

The currency policy of the Government of India has adversely affected the economic interests of the States and imposed considerable financial burdens on them in the past. Provision has been made in the above proposals to secure to the Governments and the people of the States an effective voice in the formulation and control of policies in all such matters in future.

An inventory should be taken of all contributions by the States and the amounts collected on their behalf as well as of the value of services rendered by the Central Government to them. The credits and debits should be correctly estimated and a balance struck.

A Standing Commission should be appointed by the Federal Government simultaneously with the inauguration of the new scheme to study conditions and make necessary financial adjustments from year to year. There will be work for such a Commission for 5 to 10 years.

#### EXTERNAL RELATIONS INCLUDING FOREIGN TRADE

The relations of States' subjects who carry on trade with British India and foreign countries will be governed by the same laws as those which apply in the case of the subjects of the Provinces. Shipping and navigation carried on by them outside India will likewise be subjects to the laws under which the subjects of the provinces carry on similar enterprises. The embassies and consular offices established in foreign countries will afford all the protection and facilities to State subjects as they do to British Indian subjects.

The relations between the British Provinces and the States and those between State and State will be regulated by Dominion laws and Acts formed for the purpose and the daily application of such laws should be entrusted to an agency to be known as the Inter-State Commission. All ordinary questions which arise in these respects between one State and another will be dealt with by this Commission and its agents. Any extraordinary or special dispute between a British province and an Indian State or between any two States may be settled by arbitration as at present, or by the decision of the supreme Court, according to the circumstances of each case.

#### DEFENCE

The Dominion Government will, out of its revenues, provide adequate land, naval and air forces for the defence of the whole of India; and in addition to it, every Province and every State will have a local army, manned and officered from among its own subjects but equipped and trained under the supervision of the Central Government. Two-thirds of these local armies will be available for service whenever required for direct service under the Central Government.

Besides this regular army, every province or State will build up a Citizens' Volunteer Corps, ready for internal service during emergencies and as a means to train the people for self-defence.

Hitherto, the Indian States have been allowed to maintain a small army according to the conditions of each State; and some of these troops have had opportunities of participation in the defence of the Empire. In future, similar arrangements may continue; but the size of the Force in a State should depend upon its size and financial capacity determined on a uniform basis.

States which have territory bordering on the sea might maintain a naval force ; and all the States may have their quota of air force.

The cost of defence should be regulated on a uniform basis with due regard to the responsibilities of the Central Government and the individual State respectively.

#### PREPARATION FOR DOMINION EFFICIENCY

The establishment and consolidation of full responsible government requires strenuous and many-sided preparation ; and it is essential for this purpose that a Dominion Preparations Commission should be immediately set up, with a corresponding Preparations Committee for every State or group of States.

The Commission will go round the country studying the needs and deficiencies of the several parts and also visit some of the British Dominions and other progressive countries if necessary, and suggest suitable reforms and remedies in order to convert the present into the Dominion form of Government.

The above proposals represent the outlines of a workable federal polity of which the States will form an integral part. Given the goodwill and support of the British Government and of the Ruling Princes, the scheme can be carried into effect within twelve months from the date of sanction. The one essential condition is that too much emphasis should not be laid on stages and instalments and that the scheme should not be burdened with too many inflexible conditions and restrictions which can only smother its growth. If the reforms introduced are conceived in a grudging and illiberal spirit and are made piecemeal and not comprehensive, their operation is bound to be attended with difficulties and friction ; and as the history of the Montagu-Chelmsford Reforms has shown, the introduction of the new scheme may, far from proving a blessing, become merely a fresh source of irritation and discord.

## The Indian States People's Conference

Mr. C. Y. Chintamani, in his Presidential address at the second Indian States' Peoples' Conference held in Bombay on the 25th and 26th May 1929, observed :

#### INDIA ONE AND INDIVISIBLE

The Indian States' Peoples' Conference is one of the most hopeful and significant signs of the times. It was not so very long ago that publicists in British India found it very difficult to get information regarding the condition of the people and the progress of events in Indian States. And the political organisations of British India deemed it right and wise to keep out representatives from the States as well as the consideration of subjects affecting them in particular. For several years in succession the only resolution relating to the States which the National Congress admitted was a protest against a press-gagging notification of Hyderabad promulgated in 1891. Next came in 1896 a resolution moved by Mr. S. P. Sinha (as Lord Sinha then was) and seconded by Mr. W. S. Carne, M. P., against the arbitrary deposition of Ruling Princes without inquiry. In recent years, however, there has been increasing pressure upon our political bodies to make the cause of the people of the States their own and to strive for reforms for their benefit as they are doing for British India. And there has been a response to this appeal, belated and inadequate perhaps but none the less genuine. As regards the attitude of individual public men, I myself have honestly to confess that I am among the latest to be converted to the view that we should add to our own heavy programme of work the advocacy of the grievances and the just rights of our countrymen of the States. Primarily, the work has to be done by the people immediately affected, as they can speak with authority derived from direct knowledge and they have the right which no man can take away from them, of making every constitutional effort for the redress of grievances and the introduction of reforms. This they have recog-

nised as this very Conference and the several similar conferences which have lately grown up, testify eloquently. In this work they are fully justified in seeking for and expecting the co-operation of the public men of British India, as the so-called British and the so-called Indian India together make up one whole—the India we love and revere and ought to serve—India one and indivisible, the holy land which has been the inspiration of man for ages past and will be for ages to come, India sanctified by God Himself as Sri Krishna, India of Buddha and Sankara and of Munis and Rishis, the land of Ganga and Kashi and Himachala which always lives, while other countries run feverishly through their hour of conceit and ambition and pass away to be remembered only as warnings. The whole of India should be under constitutional Swaraj: neither one part of it under dishonouring alien sway nor another under autocratic though indigenous rule. Federated India, call it the United States of India or by any other suitable name, made up of autonomous States and provinces—the former under their hereditary rulers reigning as constitutional heads of States—owning allegiance to a strong responsible central government truly representative of both the States and the provinces: this is the dearly cherished national aspiration of every Indian patriot. It is for the translation of this aspiration into fact at the earliest possible date that we all are labouring each within the limits of his capacities and opportunities, and we respectfully invite the valuable co-operation, alike of our Ruling Princes and of the British Parliament, for this consummation so devoutly to be wished. Our attitude is not one of hostility to anybody. Why should we want to increase our difficulties, as if they were not serious enough and numerous enough in the best of circumstances, by creating needless antagonism? But politics being what it is, and governments being as they are, the effort cannot be carried on in the rarefied atmosphere of abstract philosophical thought. It has to take the line of 'responsive co-operation,' the pregnant phrase that Mr. Tilak has left as a legacy to the country for whose freedom he bore and braved so much. We ask for no trouble: our hand is raised against nobody. We seek for the public good, and we beseech everybody to help us succeed in our elevating mission. We are not out to deprive anybody of what is due to him, but we insist that the people's just rights, which are inalienable and ought to be inviolate, ought not to be withheld from them any longer. No honest and conscientious ruler or government can have a quarrel with public workers whose position is as I have tried to state it. If quarrel there must be let us at least so conduct ourselves that the responsibility may be none of ours. We take our stand upon the doctrine, *salus populi suprema lex*.

#### THE TEST OF REFORM

Every scheme of reform, true or so-called, has to be judged by the test whether it will bring about a Federated India. A proposal may fall short of the full national demand but it can be accepted by practical men as an instalment thereof provided it is on the right lines and will not take us into a side track and farther away from the goal we have set before ourselves. We can feel the confidence that by working it with honesty and efficiency and carrying on a concurrent agitation for the rights which have not been conceded, we shall, under God's Providence, be bound to succeed sooner than later achieving the whole. But if in the name or under the guise of 'reform,' measures are proposed which in effect if not in intent will constitute a new barrier to our advance to the goal, it will, in my humble opinion, be the height of unwisdom for us to feel even a fractional sense of satisfaction and to co-operate in the effectuation of the plans of people masquerading in the borrowed garments of friends and making insinuating appeals to our practical sense on the ground of 'moderation' and other catchwords which come so glibly to the mouths of professional reactionaries. I propose, with your leave and on your behalf, to attempt a brief examination of the report of the Indian States Inquiry Committee known to fame as the Butler Committee, from the point of view that I have set forth. And I feel some confidence that the conclusion which I shall reach will not only meet with your approval but is likely to commend itself to the large and swelling volume of Indian nationalist opinion in general.

#### THE BUTLER COMMITTEE

In my humble opinion, gentlemen, the Butler Committee was bad in its origin,

bad in the time chosen for its appointment, bad in its terms of reference, bad in its personnel and bad in its line of inquiry, while its report is bad in its reasoning and bad in its conclusions. In saying this, I am not unaware of the quality and the quantity of adverse criticism that will be heaped upon my devoted head for my temerity in indulging in language so plain and so frankly uncomplimentary. But, to bear criticism is part of the business of the day for any public man worth his salt. Certain of our Ruling Princes, more zealous than discreet, I fear, asked for this Committee—and for trouble. I advisedly say 'certain' for some of the most important among them did not want it or care for it. I am told that one of the dissentient Princes expressed his view in the homely words 'let sleeping dogs lie'. That the Princes are not altogether happy in the relations of the States with the Government of India is a fact. I do not mean that their personal relations are unpleasant or that the Government have been slow to overload them with titles of all sorts. But they are convinced that some of the rights which are theirs by treaty and ought to be theirs in actual fact, have been filched away from them on one plea or another, and they are not free from the fear that the process may continue to their personal annoyance and to the detriment of their States. The limited study that I have been able to give to the subject justifies me in expressing the opinion that the Princes are right and there is reason for them to attempt to conserve their rights and interests. They thought to get relief through the instrumentality of a committee of inquiry.

#### A REGRETTABLE FEATURE OF THE PRINCES' ATTITUDE

But what a committee they got and how much satisfaction from it ! If I may say so without disrespect, they chose the wrong time for it as well as the wrong manner. While I gratefully appreciate the sympathy that some of the Princes have almost uniformly extended to the constitutional movement for political reform in British India—notable among them being their Highnesses the Maharaja Gaekwar, the late Maharaja Sindhia and the Maharaja of Bikaner, I could not help feeling and saying in 1917-18, and again now, that the betrayal of exaggerated anxiety for their rights just when the introduction or the extension of reforms in British India is under consideration has created the unfortunate impression that they are not prepared to repose in the motives and purposes of their own countrymen, the confidence they profess in the British Government—the same British Government which, they rightly complain, has not been wholly just to them in honouring their treaty rights. It is no small wonder to me that they should have cultivated such pathetic faith in the Government which, to confine myself to recent cases, has dealt with such justice and magnanimity with the Rulers of Hyderabad and Indore Nabha and Bharatpur. I have had occasion to read more than a thousand pages of printed matter including official correspondence relating to the last named State, and without seeking to minimize the mistakes of the late Maharaja, whose premature and almost tragic death we deplore, I am bound to say that the resultant impression upon my mind was what might be expressed in the words, "Thank God, I am not a Ruling Prince under the present dispensation". Believe me, gentlemen, the feeling was forced upon me by a perusal of that voluminous record, that it would have not been easy for any officers of the Government of India to treat almost any one in British India as the Political Officers treated His Highness the late Maharaja of Bharatpur, nor would it have been necessary or possible for one unburdened with the cares of State to bear such treatment as that unfortunate Prince had to do. Take again the proposition on which Lord Reading took his stand in sending his extinguishing letter to His Exalted Highness the Nizam of Hyderabad, the son and successor of him who 'granted Cuzon Berar' and promptly got the G. C. B. as the reward. Is there a Ruling Prince tenacious of his treaty rights who would assent to the claim made by Lord Reading for the Government of India ? I am not here to say one word in extenuation of any wrong conduct of any Ruling Prince, but I cannot help asking in all honesty and innocence, whether, other things being equal, the loyalism or the spirit of manly independence of a Ruling Prince may not have been almost the determining factor in the attitude of the Government of India towards him. If this had not been so, is there some probability that the latest chapters in the annals of the four states I have named might have been differently written or that the Political department might have displayed a zeal for reform and

rectitude in respect of at least some other States and a few other Princes? Not to elaborate this point further. I am sorry to have to say it, but say it I must, that the Chamber of Princes and its Standing Committee cannot absolve themselves from the criticism that they have betrayed a regrettable attitude of distrust of their own countrymen and shown an unjustified preference for the foreign element in the Government of India.

#### COMPOSITION AND PROCEDURE OF THE COMMITTEE

The Indian States Inquiry Committee was pressed for at an inopportune time, and the proposals put before it show, to the extent that we have been allowed to know of them, that the princes were not merely seeking for the redress of grievances but had seriously in mind proposals subversive, in their effect, of the integrity of India as one country, prejudicial to constitutional developments leading up to full dominion status for her, betraying a regrettable distrust of their own countrymen, and directly contrary to the views and wishes not only of public opinion in British India but of their own enlightened subjects. The British Government is nothing if it is not shrewd and set up the Committee at the psychological moment to strengthen its own hold over this country, 'Indian India' not expected, and to aggravate the difficulties of reformers. The composition of the Committee was not, I suspect, as the Princes themselves would have wished it to be. There was no Indian in it, either of British or Indian India; no single constitutional lawyer among the members. It was the Political department nearly all over. The Chairman had himself been political secretary, and is a man of diplomatic talent as the Princes and their foreign ministers had reason to know. Sir Harcourt Butler has vastly more of administrative capacity than of broadminded statesmanship, while for a constant or consistent political principle he has seldom shown that he has much use.

I should think that it was only on account of their rooted belief in expediency—I will not say opportunism—that some of the Princes ran into ecstasies over this Committee. The terms of reference were so drawn as to enable—to enable, not to require—the Committee to ignore altogether the existence of the people of the States. The duly elected representatives of this Conference were refused a copy of the questionnaire and were not invited nor allowed to give evidence before the committee, while their written representation—a temperately worded and closely reasoned paper on which I desire respectfully to congratulate my friend and your last President Diwan Ramachandra Rao, and his colleagues—was not considered at all. In fact, the whole business was managed as if it were a private family affair between the British Government and the Princes. The cost, however, has fallen upon the taxpayers of British India and the Indian States. This is a division of privilege and responsibility which no man can be expected to appreciate who is not inured to what Mahatma Gandhi has described as 'slave mentality'. Again, the public have not been allowed to know what exactly were the representations of the Princes. They have had to be content with scrappy and indirect information that now and then found its way into the columns of newspapers. Why has such secrecy been practised? What was the danger apprehended from publicity? Pandit Bishan Narayan Dar once told a story of the canary bird, of which it was said that 'the darker the cage the sweeter it sang,' and he characterized our landed aristocracy as the representatives of darkness, ignorance and reaction. Did the Princes object to the publication of their case and its voluminous and richly remunerated advocacy, or did the Committee shrink from public proceedings?

#### THE COMMITTEE'S PROCEDURE

Now, gentlemen, let us turn to the report itself, which I have ventured to characterise as bad in its reasoning as well as in its conclusions. I have mentioned the Committee's refusal to hear the representatives of the people of the States elected by the committee of this Conference. It was quite clear to the Butler Committee that its 'terms of reference did not cover an investigation of their alleged grievances.' Why, then, did it not receive 'written statements' on their behalf and why did the members in the course of their tours, endeavour 'to ascertain the general character

of the administration in the States? Did the terms of reference cover this? But within those terms and on the points on which the Committee recorded its findings, was it beyond it to hear the representatives of the people? Are they so many chattel that the future of the States should be determined without reference to the views and wishes of the people who inhabit them? This is of a piece with the British Government's vaunted policy of the 'development' of India by means of British capital and through the agency of British exploiters assisted by British administrators without regard to the effect of such development on the material and moral condition of the people of the country. Are the States the joint private property of the paramount power and its subordinate allies and is it the only function of the millions of their inhabitants to be taxed and to be governed or misgoverned? Next, what was the nature of the Committee's endeavour 'to ascertain' the general character of the administration in the 'States'? How could it be serious or genuine, how could the members as sensible men hope to get at the truth when they did not allow independent men to approach them? Their endeavour must have been just like the effort of correspondents of English papers who come out to India and are able to find out all about her affairs at Government houses under the exhilarating stimulus of the bounteous hospitality dispensed at their gorgeous tables with the money exacted from the poverty-stricken masses. In England in 1919, I witnessed a play called 'Caesar's wife.' It related the visit of a radical member of the British Parliament to Cairo, where he was the guest of the Agent-General. Host and guest fell to talking after dinner and the former asked his M. P. guest what impressions he had formed and whether his radical notions had or had not been knocked out of his head. To which the guest meekly replied: 'How-ever this may be, I am going away thoroughly convinced of the justness and excellence of your rule and this I will make known at home'.

Sir Harcourt Butler and his colleagues went to the States, were entertained by the hospitable Princes, perhaps destroyed some life in the name of the civilised sport or shikar, heard what the Rulers and possibly their ministers had to say of their excellent and humane administration, its methods and results, and took train for the next State on their itinerary which covered 8,000 miles. They say that they 'examined informally 48 witness' Who were these fortunate 48? Did they include any private citizens who did not fear to speak their mind freely? Why are not their names published, nor their views? Why was their examination 'informal'? Is there a record of what they said, and what consideration has been given to their opinions? In particular, I am curious to know whether a single member of this or any other conference of the people of the States was invited or allowed access to them; whether even as eminent an ex-premier of a most important State like Sir M. Visveswaraya was among the favoured 48. Is this the way, gentlemen, that a Committee charged with an inquiry pregnant with consequence should have gone about its business?

Next, gentlemen, we are told in the report that 'very divergent views on important matters were held by the Princes themselves.' Again I ask why is full information regarding them withheld from the public? Did 'the important States, Hyderabad, Mysore, Baroda, Travancore, as well as Cochin, Rampur, Junagadh and other States in Kathiawar and elsewhere,' who had the good sense to decline 'to be represented by Sir Leslie Scott and preferred to state their own case in written replies to the questionnaire,' share the views of those other States whose Rulers had their subjects' money in hand to be transferred to Sir Leslie Scott, 'et hoc genus,' about direct relations with the Crown, which is an euphemism for the preposterous doctrine of 'two separate Indias' to be kept apart for the benefit of the bureaucratic British Government and the autocratic Rulers of States and so as to retard the advance to federal government? This is the most vital of all points, but the Butler Committee, while giving all prominence to the latter—and disagreeing with them where agreement would have benefitted the States more than the British Government—has taken scrupulous care to keep back the opinions of the large number of dissentient States. It received 'voluminous documents' in reply to its questionnaire, but has only cared to let the public know the joint opinion of Sir Leslie Scott and four other lawyers. I ask, in all seriousness, is this fair and is it calculated to strengthen one's confidence in the bonafides of this inquiry?

## DEGRADATION OF THE STATUS OF PRINCES

The Committee was asked to report upon the relationship between the paramount power and the Indian States with particular reference to the rights and obligations arising from (a) treaties, engagements and sanads and (b) usage, sufferance and other causes. Briefly put, and I think not incorrectly, the Princes represented by Sir Leslie Scott asked for a finding in favour of the former and against the latter. But they have failed. Sir Harcourt Butler and his colleagues have taken their stand upon Lord Reading's famous letter to the Nizam, printed in extenso as an appendix to their report, which he describes as the charter given by the British Government to itself, rejected the views of Sir Leslie Scott, and held to be valid the British Government's claim to the right of interference in the governance of the States on the ground of 'usage, sufferance and other causes'. In doing so, they have employed the language of plainness in preference to the phraseology of occidental diplomacy, which eastern peoples are obliged to hold to be about a shade darker than that 'oriental diplomacy' of which the political virtuosos of the West have found it so profitable habitually to make fun. As an Indian I have read that passage of the Butler report with no pleasure or pride. Conservative in sympathies though liberal in opinion, and with a patriotic pride in the continued existence of at least some part of the Motherland under indigenous rule, it has been to me a pain and humiliation to see the relative position of the Indian States and the British Government bluntly stated as the exclusively British Butler Committee has done. And it is inconceivable to me that a solitary Ruling Prince proud of the traditions which are his heritage could have helped feeling mortified and chagrined by the lowering of their status necessarily involved in the Committee's finding as well as language. May it be faintly hoped that the more thoughtful among them have begun to realize what a bad bargain they made when they asked for this Committee and hoped for so much from the costly advocacy of their cause by Sir Leslie Scott?

## THE GREATEST MISCHIEF

Sir Harcourt Butler and his colleagues have dealt a blow at India, for which they deserve and must receive the severest condemnation. And for this the Princes of the Standing Committee of the Chamber must share full responsibility. They are partners in guilt, and we may say so without meaning disrespect. All that is intended to be conveyed and implied by the new-fangled theory of 'direct relationship with the Crown' was stated in the most naked form by Sir Leslie Scott in the following passage:—

The British Government's paramount power has undertaken the defence of all the States and therefore to remain in India with whatever military and naval forces may be requisite to enable it to discharge that obligation. It cannot hand over these forces to any other government—to a far foreign power such as France or Japan; to a dominion government such as Canada or Australia, nor even to British India.

The legal soundness of this proposition was examined by the Nehru Committee which included lawyers of the eminence of Pandit Motilal Nehru, Sir Tej Bahadur Sapru and Sir Syed Ali Imam, by Sir Sivaswami Aiyar and Sir Ramaswami Aiyar, lawyers of equal distinction, and they were unanimous in rejecting it.

One would have thought that the Butler Committee, a responsible body charged with a momentous duty, would have deemed it necessary to examine opinions such as this and demonstrate their unsoundness before deciding in favour of the contrary doctrine. But will any reader of paragraphs 58 of the report point to me what weighty argument preceded it? A contrast between the more or less summary disposal of this, easily the most crucial and vital of all the issues submitted to its arbitrament, and the anxious consideration bestowed upon less material points on which the committee could not or would not see eye to eye with Sir Leslie Scott, would not have failed to arrest the attention of even a casual reader of this most unsatisfactory report. Might it be that this method of reporting suited an exclusively British committee best? At all events, the committee cannot in reason blame our countrymen if they should be inclined to such an inference or conclusion.

Law apart, I approach the consideration of the question as an Indian concerned in the well-being and advancement of the Motherland and I say this. I am for the Princes and their treaty rights. But if this were to mean the perpetual partitioning of



the country as it were, the destruction of its integrity, the continued existence of a third party in power backed by an army of occupation to encourage the Princes to render Federated India impossible, then I would deem it my duty to say, 'India first, treaty rights afterwards.' And in taking this position, I am certain that the people of the States will be with me and not with their obstructive Princes. It rests wholly with the Princes whether they will have their own people and the whole body of their countrymen with them or against them. The call of duty is clear to my mind's eye. Gentlemen, it is also the counsel of wisdom. Here their duty and their interest coincide. In the memorable words of Lord Macaulay, the path of duty is also the path of wisdom, of national prosperity and of national honour.

#### FINANCIAL AND ECONOMIC QUESTIONS

The members of this conference are aware of the claims of the Princes on the subject of the financial and economic relations of British India and the States. Sir Sivaswami Aiyar's examination of the question has led him to a conclusion generally adverse to those claims. The Butler Committee has failed them here again, for it has done no more than recommend the constitution of an expert committee to 'inquire into (1) the reasonable claims of the state or group of States to a share in the customs revenue, and (2) the adequacy of their contribution to imperial burdens.' Speaking as a very small tax-payer of British India I would say with the utmost frankness that I do not want the tax-payers of the States to be disadvantaged in any manner and to any extent because they are subjects of the States. If I am concerned to see that there is no hardship to the tax-payer of British India, I attach still greater weight to moral considerations and would sooner pay a rupee more myself than extract a quarter of a rupee unfairly from the people of the States. But the case for the States is not as conclusive as the Princes would have us believe, and the subject does require to be examined thoroughly by a competent and impartial body, both the states and British India agreeing to abide by the result, whether it may or may not conform to their preconceived notions. Such examination should include at least the following questions:—(1) On the basis of consumption, what is the contribution per capita of the States and of British India to the customs revenue? (2) What is the contribution per capita of the States and of British India to the cost of defence, credit being given to the former for the tributes paid to the British Indian Government as well as for the maintenance of imperial service troops? (3) What other adjustments have to be made in order to arrive at a conclusion fair to both parties? (4) In the result, does equity require the grant of relief to the States or an increase of their contribution to the cost of defence? I have explicitly stated both possibilities, for, obviously, neither party ought to take the position of 'heads we win, tails you lose.'

One word more on this question will perhaps be permitted to me. It is that there is, so far as I have been able to inform myself, no foundation whatsoever for the suggestion that because there are three Indian members in the Government of India and there is an elected majority in the Legislative Assembly the interests of the States have been prejudiced. I am not an enthusiast for protection any more than I am a fanatic for free trade, and I have already stated without ambiguity or equivocation that I do not want the States to suffer for the sake of British India. But I am convinced that in dealing with fiscal questions the Indian members of the Government of India as well as the majority of the Assembly acted honestly according to their view of what the interests of the country and the merits of the question demanded, and it was not in their minds even remotely to snatch an unfair advantage at the expense of unrepresented territories. The suggestion in this behalf of His Highness the Chancellor of the Chamber of Princes, and the more direct statement of the foreign Minister of Patiala, I repudiate as being unfounded and unfair. It struck me when I read what they wrote, that they sought to make debating point more than to establish a probable case.

#### PRINCES' EXPENDITURE ON THE COMMITTEE

My last word on the Butler Committee is to ask the members of the Standing Committee of the Chamber of Princes what relief they have got for the many—perhaps very many—lakhs of the money of their poor subjects they wasted on this precious committee. What did the mountain in labour produce? It will be a solid

contribution equally to the promotion of public morality and to the cause of constitutional reform in the States if full and properly audited accounts of all moneys spent by and on behalf of the Princes upon or in connection with the Butler Committee, in India and in England, were to be published along with a statement of the contributions of individual States. It will be still more enlightening if we could know if in a single State which has made a contribution, the money had to be or was voted by a legislative council. The money inevitably came from the revenue of the States concerned, that is to say, from the pockets of the poor tax-payers. Do these people exist for no higher purpose than to make involuntary payments for the fancies and luxuries and I must add mistakes of a few Princes? I had it from a great personage, 'How long can this bleeding of the poor in the Indian States continue?' During the last ten years or fifteen, the revenues of not a few States have shown an enormous increase. And this is cited as evidence of good government. But it has to be shown how this increase has been obtained. Has there been a proportionate improvement in the economic condition of the people? What is their average annual income, what is the cost of living, and what is the incidence of taxation? When as Sir James Meston he was Lieutenant-Governor of the province from which I come, Lord Meston told me that Her Highness the Begum of Bhopal remarked to him that the two essential conditions of a successful revolution were the presence side by side of hungry masses and discontented classes. I do not know whether Her Highness repeated this to any of her fellow-rulers of States. Gentlemen, living as we do in the days of Princes' Protection Acts and Public Safety Ordinance, with Russia and Bolshevism on the Government's brain, should it be necessary, if it be prudent, for one to inquire whether the Government of British India or the Rulers of States have satisfied themselves that neither of these predisposing causes to that which all equally dread, exists in their respective territories and that in Russia itself there were no political or economic reasons for the great upheaval—Lord Chelmsford when he was Viceroy referred to it as a catastrophic change which must be a warning to the people of India—which made an end of Czarism and many other things besides? The wreckage that once was flourishing kingdoms or powerful empires, with which the world is strewn and of which history speaks trumpet-tongued ought to be a serious warning to governments and sovereigns, to dictators and despots. If it is not well—

#### GOVERNMENT OF THE STATES

I now come to the internal government of the States, the subject in which the members of this conference are, I assume, more immediately concerned. If I understand your position aright, gentlemen, none of you want to see the States wiped out and converted into British provinces. If you did, I frankly state that I should not be here. But you do not. It were unnatural if you did. How can any people wish to exchange indigenous for foreign rule? It is true, it is said, that the Swaraj you enjoy is not the Swaraj you and we equally wish for viz., 'government of the people, for the people, by the people'. The aim and endeavour of this conference is to bring about a transformation of the character and constitution of the government of the States, such that it may approximate to the ideal defined by Abraham Lincoln in the historic phrase I have quoted. Both in British and Indian India constitutional Government is the desideratum. All reformers are working to this end. We further want a union of States and provinces under one central national Government constituted on a federal basis. The Princes will be where they are, but as constitutional rulers, loved and respected the more and served the better for assuming such a character far more honourable than their present role of despots over their people but subordinates of a foreign bureaucracy as they are for all practical purposes. Then will be no necessity for them to compromise their dignity before every officer of the political department, whereas if the Butler Committee's recommendation be carried into effect their last state will be worse than the first and they will be the victims of a remedy worse than the disease. Surely, gentlemen, if the sovereign of the mighty British Empire can be a constitutional monarch, secure in his position only because he is constitutional, whereas the despotic emperors of the continent have been rooted out, our Princes cannot urge with even a show of reason that that will involve a lowering

of their status. I will bow low before a constitutional Ruler who will share his power with his loyal subjects acting through their chosen representatives in the legislature. I shall have no use for one who would enjoy and exercise unbridled power over subjects who to him exist only for paying taxes and obeying his decrees right or wrong. Lord Ripon declared nearly fifty years ago that public opinion ought to be the irresistible and unresisted master of the Government of India. It ought to be no less so of the governments of the States. It is not so now; that is why you and I are in this conference to co-operate to make it so. Is it difficult for any one, for even a Ruling Prince, to imagine how powerful a support to the cause of Swaraj for India would have been a State endowed with representative Government presided over by a constitutional Ruler, and how great a hindrance are the States as they are, far behind even the alien bureaucratic government of British India alike in the recognition of the people's rights and in efficiency of administration. This is the melancholy, I had said the tragic aspect of the Indian situation.

#### REFORMS THAT CAN NOT WAIT

I do not wish it to be understood that I mean that all States and every State are misgoverned. I am sure that such a generalization would be far from being true and would be unjust to some of the Ruling Princes, who are accomplished and enlightened men who understand the problem of government very well and labour hard in the furtherance of the public welfare. The fact must be admitted, too, that in recent years an increasing, though still a very small number of Rulers have introduced in their States the beginnings of representative institutions. Education has made fairly good progress in a few States, there is efficient administration in some. I make my acknowledgment to those Rulers and the governments of those States. But even there the legitimate rights of the people are insufficiently recognised and there is less of the substance than the semblance of constitutional government. I am prepared to recognise that a fully developed system of responsible government may not be immediately feasible in many States—I shall revert to this point presently—but in all States and every State certain reforms are indispensable and inevitable, they cannot wait and must be immediately introduced. What they are has been sufficiently indicated in your resolutions of the first session and in the utterances of many of your spokesmen as well as by the public men of British India. But as the demands have not yet been conceded in any State, they will bear repetition and I shall state them in my own way.

1.—A declaration of fundamental rights in the form of a proclamation by the Ruling Prince recognizing the right of free speech, free press, free association, security of person and of property, and judicial trial

[This includes the absolute cessation of banishment of people from States and the confiscation of property by the mere fiat of the Prince]

(2) The abolition of *begar* or forced labour.

(3) The separation of judicial from executive functions and an independent judiciary, the Ruler retaining only the prerogative of pardon and mercy and never acting as a court of appeal.

(4) Local Self-Government including village panchayats and rural and municipal boards with majorities of elected members and elected chairmen

(5) Legislative Councils with majorities of elected members and with at least the same powers as are exercised by the councils in British India.

(6) No law shall be passed except by the legislature.

(7) The Ruler's private purse shall be absolutely separate from the state budget,

[It should be fixed at not more than 10 per cent of the revenues in any State and in any circumstances and any excess shall have to be voted by the legislature.]

(8) Cabinet government presided over by the Ruling Prince

[In the more advanced States there should be responsible government in the sense in which this term is understood. In other States, representative government at the start, leading up to responsible government within a period of ten to fifteen years.]

(9) Free elementary education to all subjects of the State of both sexes.

[An irreducible minimum of 10 per cent of the revenues of the State should be spent on education every year and in all circumstances.]

(10) An irreducible minimum of 10 per cent of the revenues of the State to be spent upon public health and medical relief.

(11) Economic survey to be followed by systematic measures of economic development both in rural and urban areas.

#### A FEDERAL CONSTITUTION

These reforms leading up to responsible government in the States combined with responsible government in British India, will facilitate a Union of States and Provinces under a Federal Government for the whole of India, each of the bigger States and of the Governor's provinces forming a unit. The essentials of the future Government of India have been thus described by a great authority on constitutional problems :—

(1) India must have a rigid constitution ; (2) federalism must be the watch-word of the constitution ; (3) State and provincial autonomy ; (4) residuary powers in the central government ; (5) Indian States must have the same status as separate provincial units ; (6) no separate electorates ; (7) two chambers in the central legislature ; (8) the lower one must be on the basis of population, and the upper one on the basis of the provinces and States as units.

#### SUPREME COURT

To these I would add the establishment of a supreme court not merely to act as a Court of Appeal, at least to reduce substantially the work that goes to the Judicial Committee of the Privy Council, but to act as the supreme federal judicial tribunal to decide all disputes of a constitutional nature referred to it, (i) between the federal government and the government of a province and another, or a State, (ii) between one province and another, or between one State and another, or between a province and a State, (iii) in all questions of the interpretation of the constitution, and (iv) in disputed points of succession in States. The little experience that I could acquire of the Government of India as the deciding authority in a dispute to which it was itself a party, does not encourage me to invest it with authority to act as judge in such causes. In the interim, it is worthy of consideration whether the Chamber of Princes should not be given the power to decide inter-State disputes and disputed points of succession, the decision being subject to the approval of the Viceroy and Governor-General.

#### IS FEDERATION IMMEDIATELY FEASIBLE ?

The scheme of constitution for a self-governing India which was drawn up after much deliberation by the able patriots who formed the committee of the All-Parties Conference, has received a larger volume of support from the whole country than any other in recent years. But it has been attacked from two ends—by the advocates of sovereign independence and severance of connection with Britain for not going far enough, and by reactionaries—chiefly communal zealots—for going too far or for not conceding to particular communities what they think is their due. The scheme has been attacked from a third quarter as well. Certain reformers belonging to the States who are keenly—and rightly—discontented with the lot of people there object to wait for a federal union until a new government of British India has had time to negotiate with the Rulers of States the terms on which they will be willing to come into the union. Two of these critics are Messrs. Hosakoppa Krishna Rao and D. V. Gundappa of Mysore. They have expressed a sense of disappointment—the former in language that does not suffer for lack of vigour and strength—at the conclusion reached by the Nehru Committee. They are keen that we should start with a federal constitution. I find that your own Conference at its first session did not go quite as far. You defined your 'chief aim and object' as 'the attainment of responsible government for the people in the Indian States through representative institutions under the aegis of their rulers' and stated in a later resolution that 'for the speedy attainment of Swarajya for India as a whole, the Indian States should be brought into constitutional relations with British India and the people of the Indian States should be assigned a definite place and an effective voice in all matters of common concern in any new constitution that may be devised for the whole of India.' Sir M. Visveswaraya defended the Nehru Committee—in a way—when he said at Trivan-

drum in January : 'For the time being they do not wish to associate themselves too closely with their poorer relations, the Indian States subjects, lest they should introduce complications and create obstacles in the way of achieving their own ends. This is an attitude which is not only understandable but also one with which we should deeply sympathise. We should not embarrass them in any way in their efforts to secure the dominion form of government'. I was not a member of the Nehru Committee but I am sure I speak their mind as well as the mind of the people of British India as a whole when I say that we look upon you, people of the States, not as 'poorer relations' but as fellow-countrymen and fellow-workers, as comrades in a common cause—the sacred cause of the freedom and the honour of our Motherland and of every part thereof

If the Nehru Committee did not go farther than they did, the reason is to be sought, not in their lack of appreciation of the importance of federation, but in the circumstances of the case. Remember, gentlemen, the wise saying 'the best is the enemy of good'. The States being still under autocratic rule, is a federal constitution immediately feasible? While you of the States and we of the provinces shall labour, without giving rest to ourselves or peace to our Rulers, for attaining responsible government for either and both, we should at the same time not allow the larger question of federal union to recede into the background

My definite suggestion is that a joint committee of the most important political organizations of British India and the Indian States—i.e., of the Indian National Congress, the National Liberal Federation of India and the Indian States Peoples' Conference—I impartially leave out all communal bodies—should be brought into being to deliberate upon and put forward a scheme of federal constitution for India, and to work for its materialisation. I would at the same time take the liberty of suggesting respectfully to the Ruling Princes to invite a few leading public men of British India and some of their own most prominent men to confer with them as to the best means of bringing about a federal union with the minimum of difficulty and the maximum of advantage to all the parties concerned and with the least avoidable delay. I would again say to the Ruling Princes with the utmost respect but the great emphasis that their best friends and sincerest well-wishers will be found not to be the Indian Civil Service or in the Political Department or among Englishmen in general in India or England, but among their own countrymen, flesh of their flesh and bone of their bone, equally among their own loyal subjects and among the public of British India. It is this truth which they have to impress upon themselves. This done, all else will be comparatively easy. Given co-operation between the States and the provinces, Swaraj must be ours as surely as to-morrow's sun will rise in the east.

SECOND DAY—26th MAY 1929

### Butler Report Condemned

The Indian States Peoples' Conference reassembled on the next day in the afternoon under the presidency of Mr. C. Y. Chintamani and adopted resolutions which *inter alia* expressed sorrow at the death of Lala Lajpat Rai, condemned the method and manner in which the Butler Committee conducted its proceedings exclusive of the people from the States who were not given facilities to lead evidence and also condemning the Committee's recommendation stating that the States' relation towards the Crown should be directly through the Viceroy and not through the Government of India, the latter as a sinister move for the partition of India into two parts with divided allegiance for it would have mischievous effect upon the progress of the country as a whole and States in particular and also on the ground that it sought to retard the progress towards self-government in India and delay the establishment of responsible Government in the States and prolong irresponsible bureaucratic Government in British India and autocratic Government in the States. The Conference therefore opposed all the recommendations of the Butler Committee as having a tendency contrary to the attainment of self-government in India at an early date on the basis of Federal union of autonomous States and provinces.

Mr. SATYAMURTI, supporting the resolution, declared that the Princes' claim for direct relation towards the Crown was historically unsound and geographically im-

possible. Some States had relations with the Government of India (East India Company) before the Crown. Further, the Crown in political phraseology meant sovereign authority of the country and not the monarchical head since this would be impossible in the event of a Republic. He failed to appreciate the Princes' logic resulting in their faith in and the solicitude of the Viceroy for Princes against the Governor-General-in-Council and appealed to them to dispel the distrust from their minds against British Indians who were fully sympathetic of the Butler Committee report. Is the fight against Swaraj with the Princes the last trench in the bureaucracy's fight ?

### United National Demand

The Conference adopted a resolution for the furtherance of United National demand through the co-operation of political organizations in British India and States by the formation of a joint National Committee.

Another resolution opined that the proposals of the Butler Committee to transfer the control of affairs of States to the Viceroy was detrimental to the best interest of States and demanded that the Governor-General should not be in charge of any portfolio of the Government of India, but he be placed in a position of detachment.

The Conference regretted the interference with the rights of association, meeting, free speech and free press and security of person and property and urged these should be publicly acknowledged by the Princes through a proclamation and necessary legislation.

### The Labour Enquiry

The Conference also urged that the terms of the Whitley Commission should be widened for investigation of conditions of Labour in the States.

The Conference condemned certain States' policy of repression including those of British administered, and sympathised with the victims. Other resolutions embracing a variety of subjects were also adopted.

### MR CHINTAMANI'S CONCLUDING REMARKS

In concluding the session, Mr. Chintamani reiterated the condemnation of the Butler Committee's mischievous recommendation to divide India into two parts with a view to help Imperialism and quoted Lord Curzon's words for double function, administration and exploitation, and encourage the Princes to remain autocratic.

## Messages

The following messages were read to the Conference on the opening day :—

### LORD OLIVIER'S MESSAGE

Lord Olivier's Message read : "I entirely concur with the views of the Butler Committee that in the event of there being manifested among the subjects of the Indian Princes widespread popular demand for constitutional change, the Paramount Power would be bound to suggest such measures as would satisfy the demand whilst respecting the Princes' privileges.

### MR. LANSBURY

Mr. Lansbury's message said : "Hope the gathering will be very successful, resulting in united action throughout India for bringing about such a federation as will secure unity of government, unity of action and raising of the standard of life of the people in that great country."

### SIR W. RUTHERFORD

Sir W. Rutherford, M. P. in his message stated : "In the good fight to end autocracy and introduce representative and popular Government into Indian States, my best wishes for success.

## MR. POLAK

Mr. Polak wired : "Wish every success to the Conference"

After the messages were read the President rose to deliver his address. During the course of his address Mahatma Gandhi accompanied by other Congress leaders entered the Hall amidst cheers and sat next to the President.

## COL. WEDGWOOD'S MESSAGE

Colonel Wedgwood in a telegram to the President of the All-India States Peoples' Conference expressed the hope that the Conference will continue the good work in arousing Indians and the British to a sense of responsibility for the liberation of India in Indian States.

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# The House of Lords Debate

## On the Government of Indian States

On the 5th December 1928 Lord Olivier had given Notice to call attention to questions arising in regard to the government of Indian States no longer parts of any Provinces of British India; to ask His Majesty's Government whether they have in view any scheme for dealing with such questions concurrently and consistently with any amendments of the Constitution of British India Government that may commend themselves to Parliament in the outcome of the Inquiry now being made by the Commission which has been appointed under the Government of India Act; and to move for Papers.

The noble Lord said: My Lords, yesterday evening the noble Earl the Leader of the Liberal Party, looking towards this Bench, expressed his apprehension that questions were put down on the Paper for the purpose of airing the knowledge of the noble Lords who put them down. I should like to assure the noble Earl that I do not rise to-day for the purpose of airing any knowledge that I possess on the subject of the government of India, and it is unnecessary to do so, because at the right hand of the noble Earl sits the noble Marquess [Lord Reading] and on the other side another noble Lord, both of whom have much greater knowledge than I have of Indian affairs and of the matters to which I desire to call attention, which are matters, in my opinion, of public importance.

Even before the last Government of India Act was drawn up it had become evident that developments would arise, and were likely in the future further to arise, out of that Constitution, which would lead to the necessity of reconsidering the relation of Indian States to the Indian Government, and I think I am right in saying that, arising out of the views of the Government of India, my noble friend Lord Chelmsford almost immediately took up the policy of somewhat altering the relations of certain Indian Rulers with the Indian Government. That is to say, they began to substitute direct relations for the relationship of the Indian Princes and the Provincial Governments, and in a considerable number of States that alteration has been made and I imagine that alteration of relations is still in consideration with regard to the others. It was obviously a reasonable and necessary development because the more the Provincial Governments became constitutional Governments resting upon a elective basis and having Ministers and Cabinets responsible to the electors, the more difficult would it be for the Indian States to accept the position of reporting to Provincial Governments, especially if the responsibilities of the Governor of the Province itself were transferred in any respect to the councils. That beginning of the alteration of the relations has been set on foot.

Further, it became obvious that if the purposes and the ideas with which the Statutory Commission was set up—namely, of a further division of the Indian Government—were pursued in the direction in which almost all those in India who advocate constitutional reform desire, that is of delegating a good deal of the responsibility of the Secretary of State and some of the responsibility of the Governor-General to the Assembly, in that case, again, the position of the Rulers of Indian States with regard to the Government of India would be materially changed, and as regards many of their interests—interests of defence, interests of customs and of railways, all those matters which are now dealt with by negotiation between the Viceroy and the Indian States—it would become a question assuming that there was responsibility in the Assembly, of an Assembly responsible not to the Indian States but to a totally different constituency. The Indian Rulers have shown themselves to be very keenly aware of that. They have moved in the matter and indicated their view that in any development of the Constitution of India they must not be placed in any respect under the control of an elected Assembly to which they did not contribute and that they did not desire any alteration of their present relations and responsibilities as between themselves and the Crown.

Arising out of that the Government of India would give considerable consideration



to what, after all, is a necessary development. There is one step in those developments. A Committee was sitting under Sir Harcourt Butler, which took the very necessary first step of ascertaining what were the treaty and constitutional relations between the principal Indian States and His Majesty's Government. That Committee has been sitting for some time and the question of the constitutional position which was the first to be cleared up the constitutional position of those Indian Rulers in relation to His Majesty's Government in India, has been studied and indeed argued by Counsel with very great ability. That part of the necessary preparation is proceeding, but I submit to your Lordships that in my opinion it is a very small part of the preparation that is required for the consideration of this very great subject. It is going to be a very great subject and no one can conceal from himself the recognition of the fact that now that we have embarked upon the path of Indian constitutional reform this country, with all its responsibilities, has embarked upon a course involving responsibilities, which are perhaps very much wider than many of the public recognise.

Sir Harcourt Butler's Committee deals only with about 105 directly-represented States and about another 120 of indirectly-represented States. But, as your Lordships know, there are about 560 States altogether, and the position and the future relations of those States represented in the Council of Princes or with the problem of the relations of the other States with the Indian Government. What I am asking His Majesty's Government is whether they have in view any scheme for dealing with those questions, with which we ought to be in some measure prepared to deal. I submit, in anticipation of any finding that may be made by Sir John Simon's Commission. If we are not beforehand in the matter any consideration of the future Indian Constitution must again suffer very considerable delay while those difficult problems of fitting the Indian States into the Constitution are being considered.

I am not going to advance any views or opinions of my own upon the subject. I would like to quote Sir Malcolm Hailey, an Indian public servant, for whose ability and intelligence every one who knows him has the highest possible respect. During the discussions in the Legislative Assembly on the subject of Dominion self-government for India, Sir Malcolm Hailey said that the Government of India would like to know

"whether the States would continue as heretofore to deal with the Governor-General in Council who is responsible to the British Parliament or with the Executive Government responsible to the Indian Legislature."

That is the sort of question which necessarily arises, and, so far as I am aware, we are taking no steps to inform Parliament or to inform public opinion, either in India or here, as to what lines might possibly be taken in regard to the matter.

Very great questions are involved. First of all there are directly the feelings and honour of the Indian Rulers themselves and their own determination as to what they will agree to and what they will not agree to. Then there are questions with regard to the subsidiary States, whether, and if so how, the Indian Princes and the other States could be fitted as regards all Indian interests into any kind of federation, and in regard to what interests they would continue not to have direct relations with the Assembly but would continue, possibly, to have direct relations with His Majesty through the Secretary of State for India. I apprehend it would not, or it might not, be possible for them to continue to have those relations which they now have with the Viceroy through a constitutionally responsible Governor-General or the Secretary of State for India in Council as at present constituted. Some alteration, it seems to me, will have to be made with regard to those relations. That is a general constitutional question, and I want to know what steps His Majesty's Government are taking to set on foot the consideration of those questions either in consultation with the Government of India or by a reference to such a Committee as my noble friend has been induced to promise to set up. I think that the general consideration of such a question might be suitable for such a Committee to undertake. It is analogous to the question of the constitutional changes that may be recommended by the Simon Commission, which it has been said would be referred to such a Joint Select Committee.

Beyond that there are very wide questions with regard, if I may say so, to the international constitutions of the States; whether and how you are going to fit States constituted as at present into an Indian Government in which the whole of

British India is governed on representative constitutional lines. Many of the Indian Princes are extremely able and extremely patriotic men and we have the highest admiration for them; but on occasions there have been very strong reasons for thinking that Indian States were not in all respects well governed, and in a minority of cases we can point to certain instances where it has been the definite opinion of the Viceroy that the States were not well governed and some slight intervention has had to be made. That arises from the responsibility which the Government of India has for the good government of the States. That responsibility is acknowledged and cannot be denied.

I would like to quote from a very important Despatch of my noble friend Lord Reading, in which he very pertinently set forth his own views with regard to the obligations of His Majesty's Government and their rights with regard to Indian Rulers. He said:—

"The right of the British Government to intervene in the internal affairs of Indian States is another instance of the consequences necessarily involved in the supremacy of the British Crown.... But the principle is less than the extent to which the Ruling Princes enjoy is one entirely to the protecting Power of the British Government, and where Imperial interests are concerned or the general welfare of the people of a State is seriously and gravely affected by the action of its Government it is with the Paramount Power that the ultimate responsibility of taking remedial action, if necessary, must lie. The exigencies of internal sovereignty which the Rulers enjoy are all subject to the ultimate exercise by the Paramount Power of this responsibility."

That was a very clear statement on the part of my noble friend the Marquess of Reading, and it implies that His Majesty's Government do not, on account of the sovereignty of the Princes, waive their responsibility for the internal affairs of a State.

Most, if not all of these Principalities are arbitrary and absolute Governments. Everything depends upon the autocratic will of the Sovereign. With regard to the laws, with regard to the administration of revenue, with regard to the appointment of justices and with regard to many matters which in our own Constitution have been taken out of the power of the Sovereign—those matters are there absolutely within the power of the Sovereign, and are liable, and sometimes subject, to abuse. That is a position which is very keenly recognised by a great number of the Indian subjects of those Princes, and we have recently had in England a Deputation headed by Ramchandra Das, a very distinguished Indian servant, which put forward in a temperate manner some of the criticisms which they have to make upon the present Constitutions of Indian States which render misgovernment always possible and sometimes inevitable. When you are reconstituting the whole framework of Indian government and are considering the question how far the government of the Indian States can be fitted into the framework, I think it will be found impossible to disregard the question as to whether the autocratic power of the Princes should not in some degree be restricted and delegated. That question will arise, and I do not express any opinion upon it myself.

Throughout the whole of the British Indian States that is the opinion of those who are advocating constitutional reform, and unquestionably it is the view of many who are advocating constitutional reform in the Indian States themselves. A question was asked in another place the other day on this subject, to which Lord Winterton, the Under-Secretary of State for India, gave a reply. Questions were being asked as to how was it possible for the subjects of Indian States to make their wishes known to the Governor-General, and Lord Winterton gave a reply which I shall quote. I do not wish to criticise the reply too severely. It was given at the end of a long string of supplementary questions and possibly was given not with great consideration. Lord Winterton said:—

"They can make their position known by writing to the newspapers, by having political meetings, and in various other ways. That is a question quite distinct from whether or not they should be able to give evidence before this Committee."

The noble Marquess [the Marquess of Reading] will admit that that was a sketchy answer.

It is not altogether open to the subjects of Indian States to write to the newspapers.

We have certainly established considerable protection for the Princes against writing in newspapers. The question of whether an article is appropriate or not is a difficult subject for decision by a Judge who is the servant of an Indian Prince, for his decision might possibly be against the princes. As regards the holding of meetings and agitations for constitutional reform in India, I do not know what would happen in the more liberal States, but I have a very strong opinion, founded upon certain incidents which have occurred, that in some public meetings for constitutional agitation would be repressed with some severity. Lord Winterton's reply was really, in its nature, rather desisory and did not deal with the question at all. There ought to be, and no doubt there is in so far as the Government of India exercises its responsibility for good government, some way, when dealing with questions of constitutional reform, of getting put forward reasonable presentations in favour of such reform in the Indian States.

I hope I do not put the matter too strongly. I want to have some means of getting into public consideration reasonable proposals for constitutional reform in the Indian States. If those States are to be brought into any kind of federation with the rest of India, you may be sure that matter will arise. It has already arisen in India and is being strongly agitated by persons there. On that ground therefore, I also ask the noble Lord whether His Majesty's Government have in view any scheme for dealing with these questions which are likely to arise? The questions briefly are these: First of all, what is to be the relation of the Indian States and the Indian Princes in any revised Constitution with an Indian Assembly or with His Majesty the King? Secondly, in any such federated constitution will it be possible for His Majesty's Government to maintain in its fulness the present absolute autocracy of the Indian Princes? It is a very difficult question, but it will have to be considered. I think those are the two main points—what is to be the relation between the States and the Government, and whether there is to be any kind of suggestion or recommendation made to Indian Princes with regard to their own Constitution? That is a question on which I express no opinion at the present time and I ask for no opinion, but I hope the noble Viscount recognises—I am sure he does recognise—that there are questions which have to be dealt with. All I ask now is this: Has His Majesty's Government any scheme in contemplation for setting up an appropriate authority or Committee to consider these questions in advance, so that we may have some kind of preparation and some kind of guidance to help us in dealing with the matter when the Report of the Simon Commission comes before Parliament? I beg to move for Papers.

**LORD HARDINGE** of Penshurst: My Lords, I cannot help thinking that the Motion which has been put before your Lordships by the noble Lord is somewhat premature in view of the fact that it is made before the publication of the Simon and Butler Reports. I do not propose to enter into abstruse questions of the constitutional reform of the Indian States, but in view of what has been said by the noble Lord I should like to say a few words upon the position of the Ruling Princes. In the first place I would like to emphasise the fact that the Ruling Princes are one of the most loyal and devoted elements in India. Their loyalty to the King and to the Government is unsurpassed. Although memories are short nowadays I would like to remind your Lordships of the offers made by the Ruling Princes at the outbreak of the War—offers of men, money, hospital ships, aeroplanes and every conceivable thing that might be needed. These offers were made spontaneously and they were all fulfilled. I may even mention that there was to my knowledge one of the Maharajahs who offered to sell all his jewels to provide money for the War. These offers, when reported by the Secretary of State, evoked great enthusiasm in both Houses of Parliament. Heavy sacrifices of men and money were made and no help that was ever asked of them was refused. Several of the Ruling Princes led their own contingents to the seat of War.

Since those days, what were in my time in India merely meetings of a certain number of Princes under the *auspices* of the Viceroy to discuss educational and other questions and questions affecting themselves, have developed into the creation of a Chamber of Princes where such questions and their general policy come under discussion. They are now a corporate body with definite policies of their own and

form an integral part of the machinery of the Government in India. Formerly the affairs of the Ruling Princes were dealt with by the Government of India or in the Department. The absurdity of this arrangement induced the creation of a separate Political Department dealing exclusively with the affairs of the Ruling Princes and under the direct supervision of the Viceroy. Moreover in recent years control of the Ruling Princes has been gradually withdrawn from the Provincial Governments and concentrated under the Political Department of the Government of India. I recount these facts to show that while rapid constitutional progress has been made in British India the Ruling Princes have been slowly developing into a corporate body alongside of British India but practically independent of it.

It cannot be denied that the forms of government in British India are more advanced than in the native States, but nevertheless the tendency in these States is towards progress, not unwisely rapid, and in spite of the criticisms of the noble Lord these States as a whole are well governed and meet the needs of the population. There are some States such as Mysore, which really serves as a model and could not be better administered. Of course there must be, and will always be, questions at issue between the Ruling Princes and the Government of India, and these questions can well be settled by conferences and by arbitral or other tribunals, but I can conceive no step that would be more of a step backwards, or that would be more resented by the Ruling Princes, than any scheme by which they might be placed in a position of subservience to, or at the mercy of, the Legislative Assembly of even a Central Government or of a Provincial Government. The Government of India, as your Lordships are aware, has treaties of alliance and otherwise with the Ruling Princes. I look forward to the day when these treaties with a very loyal, patriotic and devoted body may be developed and strengthened to the mutual advantage of this country and of India.

*The MARQUESS OF READING.* My Lords, the subject which has been introduced by my noble friend is undoubtedly of the utmost importance, but I confess that I am a little perplexed as to the object of raising it at this moment when we have the Harcourt Butler Committee dealing especially with some points affecting the Ruling Princes and the Simon Commission, at present in India, whose Report we shall all of course await with the greatest interest. One wonders at the suggestion that some scheme should be put forward by the Government at this moment. I presume it is only intended to be for private discussion and not in any way for public debate when we have not yet the Report of the Commission before us. I should have thought it quite unnecessary to intervene in this debate but for some observations which fell from my noble friend. I imagine that he had no intention whatever of reflecting in any way upon the Ruling Princes as a body.

Lord Olivier: Hear, hear.

*The Marquess of Reading.* Certain observations made by him gave his view of the good government in a great many States, but on the other hand he did give indications which might disturb the Ruling Princes very much. My noble friend Lord Hardinge, who has just addressed your Lordships, has dealt with some aspects of the Ruling Princes' constitutional position. I would take the opportunity of saying that during the whole of my experience in India, no more loyal body could be found than the Ruling Princes. Lord Hardinge spoke of the services they rendered in the War and their desire to help in every way. During my period of office such questions did not arise, but nevertheless there are numbers of considerations that constantly arise in which the Ruling Princes might make difficult objections, and I desire to state emphatically that I have never found the Princes, speaking of them as a body—there may be individual exceptions, of course—slow to recognise the necessity of making any concession or falling in with any view that might be put by the Government of India, founded upon the desire to protect or strengthen India or in any way to help Indian interests.

There are, of course, questions affecting their own States which are discussed with the Viceroy and the Government of India. Your Lordships are aware that under the present Constitution the affairs of the Princes are dealt with by the Governor-General in Council—that is, by the Viceroy with the assistance of the Executive Council. There is no Minister for the Political Department, but their affairs are dealt with

entirely by the Viceroy himself with the assistance of the Political Secretary. Those of your Lordships who may not be familiar with the constitutional position may need to be reminded that the Departments have their members of the Council who meet in what is the equivalent of a Cabinet with the Viceroy, but the political affairs that relate to the Princes are dealt with entirely by the Viceroy himself—that is to say, he has charge of them, instead of their being in the charge of any particular member. It is on account of this procedure that some difficulties suggested themselves to the Princes in view of an extension of the reforms.

There is no doubt, as my noble friend truly said, that they are alarmed at the notion that they may find themselves dealing with the Governor-General in a Council composed of the Governor-General and Ministers responsible to the Legislative Assembly and the Council of State, or in other words to the Central Indian Legislature, and that they would thus find a change in the position that they occupy at present. Strictly speaking, of course, this would not be so, because they would still be in relation with the Governor-General in Council, but at the same time the position of the Governor-General would have been very materially changed. As your Lordships are aware, the members of the Council are appointed by His Majesty and are responsible to the King and the British Parliament.

What changes, if any, will be made, and whether any recommendation is to be made by the Simon Commission which will affect indirectly the position of the Princes, nobody can tell, and I do not at the moment intend to speculate upon the Report which will in due course be presented. But I do desire to emphasise that the Princes themselves, so far as I am aware—and I think I understand their views in this matter—wish to maintain as closely as they can relations with the Viceroy as the representative of the King. They take their stand upon their treaties and they claim that they should have access, as they have always had, to the Viceroy, in order to put before him any facts that they desire. I can imagine very well that if a change were to be made in the appointment of the members of the Council, this would very materially affect the position of the princes, and I indeed no one can gainsay that they would have to consult upon their affairs with the Governor-General and Ministers who would be responsible to the Legislative Assembly. In other words, they would then be subject to the Legislative Assembly, and at present they are not. It is true that under the Constitution there are restrictions upon the legislation that can be proposed in the Legislative Assembly and very definite limitations upon the matters that the Assembly can raise.

There is one other point which I think I must touch upon. I refer to the question of the relation of the Princes to the Paramount Power, in other words to the Crown, which is, of course, of the utmost importance. I do not wish in any way to travel outside the scope of this Question by dilating upon the difficulties that present themselves and apparently, to some extent at any rate, may be agitating the minds of the Princes, but in the Despatch that I sent containing the answer to a letter of the Nizam of Hyderabad I did attempt, in conjunction with the Secretary of State, to define the exact position. I think that one special consideration must always be borne in mind. The Crown is the Paramount Power, and the Princes have their different degrees of sovereignty which vary among their numbers. When you proceed to those that have no internal sovereignty, you find many more restrictions and limitations, but with regard to those 90 or 100 Princes that have undoubted internal sovereignty their position is that they administer their own affairs. They do not of course deal with foreign affairs. Those are dealt with by the Governor-General in Council, and they include all matters which affect the military position of India or even her position in relation to the air. Here there can be no question that the Paramount Power is supreme, and the relations that have been laid down and are well understood, and were the subject of very close search and study before the Despatch was made, are now pretty clearly defined.

There are, however, some questions which have never been settled and are now being discussed before the Committee over which Sir Harcourt Butler presided. Sir Harcourt Butler is specially qualified to preside over that Committee, in that he was at one time during his service in India a very able Political Secretary and has also been Governor of the United Provinces. The relations are very definite. We do not interfere with the internal administration of a State unless there is what is termed

gross maladministration. I think it would be unwise to attempt to define more closely what is meant by that term. It is sufficient to enable the Governor-General in Council to intervene when there is a condition of affairs in the State under a Ruling Prince which is one of maladministration, not merely in one particular instance, but of such a character that it can be described as gross. All these matters are, as it seems to me, very clearly understood at the present moment, but there are questions which have agitated the Princes, in relation, for example, to tariffs, which have been imposed in India and which have made certain difficulties.

I am not going to discuss them, however, because they are the subject of consideration, but I must draw attention to what Lord Hardings said with regard to the Princes and the rights that they have in their Chamber of Princes. To talk of them as a corporate body in the sense in which he used the term is, I think, going a little further than is justified by the Constitution. The Chamber of Princes has the power, and indeed the duty, of discussing certain matters, but there are limits, and one must always remember that some of the most powerful and important Princes do not attend the Chamber of Princes. They make a practice of not attending, and consequently one can hardly say that you have the views of all the Princes in any resolution passed by the Chamber of Princes. Whatever the Princes may do, I feel sure that they will not desire to be placed under the Legislative Assembly. My impression is that they have never hesitated to make that clear, and anyone at all familiar with the subject will understand that. Indeed, it would abrogate the rights which they have by reason of the internal sovereignty which they now enjoy, quite apart from British India. Their relations to British India are simply those to which I have referred, and there is no intervention in the internal affairs of the State except when there is what is termed gross maladministration. My view of the matter is that if the Government were in fact at this moment considering any scheme, I should imagine that they would not make these preliminary discussions or considerations public at the present moment. To do so would be a grievous mistake, and I think a departure from constitutional practice, when you have the Commission of Sir John Simon actually in India at the present moment.

I feel a little anxiety aroused by the observations made by the noble Lord, who certainly did not commit himself to any specific reform but who seemed to indicate sympathy with the view that the internal sovereignty of the Princes must be placed in some way, by the British Government through the Government of India upon a constitutional basis. That is a very grave departure to take, and it involves the changing of the sovereignty which the Princes at present enjoy. It may be right or wrong—I am not going to discuss it at the present moment—but I hope that it will not be thought, from anything which may be said in this debate, that there is a desire on the part of the Government, or at any rate of the Party to which I belong, to change the system of sovereignty under which the Ruling Prince rules. What we have always aimed at in India, as I have understood and what was meant in the various discussions which took place before the Government of India Act was passed was that gradually there should be a reform of the Indian States from within the States and not in any way forced upon them by the Government of India or the British Crown; that in due course of time, no doubt as what we term wider ideas and broader views prevailed, there might be a greater desire for a more constitutional form of government within the ruling States.

What I do wish to emphasise is that I cannot myself conceive that any Government would seek to force that upon the sovereign States, and indeed it may be a question whether they would have the right to do so under the treaties which exist between the Crown and the Princes which gave the Princes their rights of internal sovereignty. My main purpose in intervening in this debate was to make it clear that the Party to which I belong have no idea of forcing in any way upon the States a different Constitution from the one which they at present enjoy. That, however, is a different thing from saying that there may not be discussions in the future between the Princes and the Government of India, as the constitutional movement develops in India, for the purpose of arriving at some changes, but those are matters which must be left to, and which, I think, must depend upon the consent of, the Princes themselves.

Certain steps have already been taken. It is very difficult indeed to find a State

which is better administered than Mysore, which is always regarded as a model. As Lord Hardinge said there are others ; it would be invidious to single them out but equally, for the sake of truth, it must be said that there are some where it is very desirable that a more liberal form of government should be introduced, if it were possible. No one would suggest for a moment that all these States are excellently governed—there are exceptions—but even with regard to any question of intervention your Lordship may be aware that an elaborate system was devised by which a Prince, before any of his powers can be either taken from him or be reduced or modified in any way, or before any deposition can be resorted to, may be heard by a Commission on which there must be at least two Princes, a Judge of the High Court, and two other selected persons, so that you have a tribunal of five. That system already exists for the purpose of preventing what I will call drastic measures in relation to the affairs of any Prince, without giving him an opportunity of being heard before a Commission which was agreed with the Princes at the time when we were discussing the Reforms.

It is a part of the Constitution, at least a part of the agreement arrived at with the Princes. Even that is limited. It only applies when it is intended to take away or restrict in any way some of the powers which a Prince enjoys. In all other matters it is of the essence that the Crown is the Paramount Power and the Ruling Princes with their internal sovereignty have that limitation placed upon them, that they are subject and must remain subject to the Paramount Power, which is in itself the best means for the protection of the Princes both from aggression from the sea—if that were contemplated—and upon land. The security which the Princes enjoy, and have now for a very considerable time enjoyed, is due to the fact that the Paramount Power takes charge and directs them. I think that it is very necessary that we should always remember that. That is naturally regarded as the key of the whole position, and it was largely in order to make that clear that the Despatch was written to which my noble friend has referred. In relation to the matter under debate at the present moment, I can only express the hope, which I fancy will be realised, that the Government will not be drawn into any premature disclosure of what it may do, given certain considerations which no one yet knows, and assuming certain things to happen of which no one has at present the remotest idea.

**LORD LAMINGTON :** My Lords, if the Princes of India can feel at all aggrieved by any of the remarks made by the noble Lord who put down this Motion, they certainly ought to feel well satisfied with the terms in which they have been alluded to by the two noble Lords who have just spoken, both ex-Viceroy of India, as to the attitude of the Princes, and as to the general excellence of their administration. The subject-matter of the question raised by the noble Lord, Lord Olivier, is very far-reaching, but there is one point which he is quite justified in raising, and that is in regard to the subordinate States in India. I understood the noble Marquess who has just sat down to say it was essential, in carrying out the reforms adumbrated that any class of people in India who might think themselves adversely affected should be listened to.

I have given the noble Viscount [Lord Peel] private notice of a question which I am going to mention relating to the many hundreds of subsidiary States scattered throughout India. Of course, I am not going to refer to all of them. What I am concerned with are the feudatory States which exist in the Bombay Presidency and which, when I had the privilege of being the Governor of Bombay, directly came under the control of the Government of Bombay. These subsidiary, or feudatory States, chiefly lie in the State of Kolapore. Rightly or wrongly, they think that of late they have suffered some degree of injustice at the hands of their Paramount State. These feudatories, I may say, all have their sanads, or agreement recognised by the Paramount Power, and they are much afraid that in the readjustment of the various constitutional rights of the people of India they may be neglected. They are not allowed to appear before the Simon Commission—they have no *locus* there—and they were not able to be represented before the Committee presided over by Sir Harcourt Butler. I therefore wrote to the noble Viscount to ask whether their position is being considered by the Government of India. They feel that they may be harmed if their position is not now taken stock of, and they would be glad to think that no definite change will be made in regard to the

Indian Princes generally and their relation to the Government of India without a recognition of these various agreements and guarantees which has been given by the Paramount Power to the feudatory States. It is a most complicated question ; there are always differences of opinion between the Kolapore State and these feudatories and they require very nice adjustment ; and therefore I think I am quite entitled to ask whether, or how these feudatories are to be given some chance of having their views attended to. Not for a moment do I say whether they are justified in thinking that they are being ill-treated, but I think it is quite reasonable for them to ask that their views should be ascertained before any decisions are come to as to the future government of India.

VISCOUNT PEEL : My Lords, the Questions which have been placed upon the Paper by the noble Lord, Lord Olivier, are very far-reaching, and touch very difficult and profound questions affecting the Government of India. The motion of the noble Lord, however, would be fully justified, I think, if only by the fact that it has produced two such very important and very interesting statements as those we have had from two noble Lords who speak with very great authority and full knowledge of Indian problems, and especially on questions connected with the Ruling Princes. Underlying most of these questions raised by the noble Lord there is the problem of the relationship between the Paramount Power and the States, and this problem is at present, as the noble Marquess has said, under reference to the Committee presided over by Sir Harcourt Butler.

Perhaps I may remind the House of the terms of reference to that Committee. They are as follows—

"(1) To report upon the relationship between the Paramount Power and the States, with particular reference to the rights and obligations arising from

- (a) treaties, engagements, and *sanads*, and
- (b) usage, sufferance and other causes, and—"

This does not so directly bear on the point mentioned by the noble Lord—

"(2) to inquire into the financial and economic relations between British India and the States, and to make any recommendations that they may consider desirable or necessary for their more satisfactory adjustment."

When this Committee reports. His Majesty's Government will have, so far as the States' side of the matter is concerned to whatever further consideration may be necessary of questions either as to the relations between the Paramount Power and the States or as to the relations between the States and British India. But until the Report of the Committee is received it is undesirable to enter into a discussion of such questions on merely speculative or hypothetical lines ; and in that respect I think the noble Marquess was right in his divination of the attitude I should be obliged to take up.

The noble Lord's reference to future amendments of the Constitution of British India is at present equally speculative or hypothetical, and when he asks whether His Majesty's Government have in view any scheme for dealing with questions arising in regard to the Indian States concurrently and consistently with any such amendments, I can only say that they have not ; and that any definite scheme would at this stage clearly be premature. Of course, I do not wish to say that His Majesty's Government will not use their best endeavours to look ahead into the future and to examine into these very complex and difficult questions. But their solution can only be approached stage by stage, and with a full appreciation of the necessity for caution and deliberation.

What I have said hitherto must be understood as referring to questions coming under the head of relations either between the States and the Paramount Power or between the States and British India, but the noble Lord has devoted some portion of his remarks to questions which though obviously connected with the problem which I have been discussing, must be recognised in the first place as coming in a different category—namely, that of constitutional or administrative arrangements within the States themselves. Unless this question had been raised I should have thought it undesirable, if not improper, for me to enter upon it now ; but one is anxious to voice any misunderstanding, and I cannot let the noble Lord's observations pass without some reference to them. I must however, limit



myself to some very general observations and I cannot, of course, enter upon any question of their particular or precise and actual application. I might remind your Lordships—it is familiar, of course, to the noble Lord opposite—that the term “Indian States” is of very wide application. There are 500 or 600 of them, varying to the greatest possible extent in size and importance. At one end of the scale is the great State of Hyderabad, with an area of over 82,000 square miles and a population of 12,500,000. At the other end, where we deal with what are more properly described as estates rather than States we have small areas of less than a square mile with a hundred or two hundred inhabitants. It is obvious that very different considerations must apply to the States at these different ends of the scale. With that reservation perhaps I can now speak in rather more general terms.

First let me remind the House—though I do not say that my observation bears a very close application to what has been stated by the noble Lord opposite—to the well known passage to which he has referred in the statement of the noble Marquess, Lord Reading. He read a portion of it, and I think I should also like to read it because it is a very important and, as the noble Marquess said, a very carefully considered statement. As he also said, it was written to His Exalted Highness the Nizam of Hyderabad. The passage is as follows:—

“The right of the British Government to intervene in the internal affairs of Indian States is another instance of the consequence necessarily involved in the supremacy of the British Crown. The British Government have indeed shown again that they have no desire to exercise the right without grave reason. But the internal no less than the external, security which the Ruling Princes enjoy is due ultimately to the protecting power of the British Government, and where Imperial interests are concerned, or the general welfare of the people of a State is seriously and grievously affected by the action of its Government, it is with the Paramount power that the ultimate responsibility for taking remedial action, if necessary, must lie. The varying degrees of internal sovereignty which the rulers enjoy are all subject to the due exercise by the Paramount power of this responsibility.”

This is a general statement, of course, of the rights and duties of the Paramount Power. But in regard to such questions as those of the introduction of changes in machinery or methods of government in the States, I must point out that however important and far reaching these questions are, they are primarily questions of internal administration which, as such, cannot, generally speaking be regarded as coming very directly within the purview of the Paramount power.

I do not think I can with very great advantage pursue this question much further at the present moment. But it is obvious that questions of internal administration must be present to the minds of all who endeavour, from the point of view either of the British Government or of the Indian Ruler themselves, to look ahead into the future of India as a whole or of the States individually. At a time when constitutional changes are under consideration in British India, it is inevitable that much attention should be directed, both in the Press and on the public platform to the States. Conditions in the States vary greatly and what might be appropriate and timely in one might well be inappropriate or premature in another. But I need hardly say that the Rulers of many of the States have already shown that they appreciate modern ideals of good administration and strive within the resources at their disposal to attain to them. The Viceroy, in his speech announcing the appointment of the Indian States Committee, took the opportunity of reminding the princes that, in his view, the more their administration approximated to the standards of efficiency demanded by enlightened public opinion elsewhere, the easier it would be to find a just and permanent solution of the problem of the future relations between the States and British India. Many of the leading Princes themselves are as I know, very much alive to the importance of this subject; and I know that some of them have of their own initiative taken of the question of reviewing their administration with a view to inaugurating, where they do not already exist, such measures as the promulgation of definite code of law to be administered by a Judiciary independent of the Executive and the settlement upon a reasonable basis of the purely personal expenditure of the Ruler as distinguished from the public charges of administration. The two noble Lords who have spoken have paid very just tributes to the loyalty and devotion of the Princes of India, and

I should like very respectfully to associate myself with what has been said by those two noble Lords upon that subject.

There is only one question that was raised by the noble Lord Lamington, who has changed his place though not his point of view as I understood in the House. He was good enough to give me private notice of it though perhaps he will excuse my saying that the notice was received a very short time before this discussion, and so I must answer him rather more briefly than I might otherwise have done. I am not sure that the government, I am not in fact aware that the government of India have received any recommendations from the feudatory nobles of the Indian States. I thought possibly the noble Lord was referring to the case of the guaranteed Thakurs in the Gwalior State. As regards that case, I may say that the British Government at the beginning of the nineteenth century, in effecting a settlement in central India, mediated and guaranteed the relations between the Rulers and the petty chieftains under them. In view of improvements gradually effected in the Gwalior administration there no longer existed the same justification for intervention between the Durbar and the Chiefs, and in 1921 the Government of India made new arrangements under which the Political Department of the Government of India withdrew from direct interference between the Durbar and the Thakurs, and fresh *saukhs* in perpetuity were issued to the Chiefs in question by the Gwalior Durbar. It was, however, explicitly laid down that the pledges originally given by the British Government must remain inviolable. Representations from some of the feudatories in connection with this new arrangement came before me as Secretary of State for India in 1924, and questions raised by others are, I believe, at present before the Government of India.

Then as regards the question whether the feudatories would have an opportunity to make representations during the discussion on reforms, if any feudatory is apprehensive as to how changes in British India may react upon his own position, he could no doubt express his feelings to his Ruler. If the reference is to any grievance which a feudatory might have against his Ruler, it is open to the feudatory who may consider himself unjustly treated, as to other subjects of an Indian State, to seek redress from the government of India. Perhaps the noble Lord will content himself with that rather brief answer to the question which he asked. As to the noble Lord opposite (Lord Olivier), though I do not charge him with wishing to air his knowledge on the subject—he has raised very important questions—I am sure he will agree that they are so speculative and depending upon such hypothetical considerations in the future that he will be satisfied if I have not given him a more definite answer than I have been able to do to-day.

**LORD LAMINGTON :** I should like to ask the noble Viscount whether he will consider how these feudatory chiefs may make a representation.

**VISCOUNT PEEL :** Yes, certainly.

**LORD OLIVIER :** My Lords, I shall have the satisfaction, as the noble Viscount expressed it, that my humble Motion has elicited very interesting and important speeches from Lord Hardinge and the noble Marquess, Lord Reading. I also can congratulate myself in having elicited from the noble Viscount [Viscount Peel] a very interesting and carefully considered statement upon some of the questions I raised and I thank him for it. I think the debate has been of great interest, but there are some slight misunderstandings which I should like to clear away arising out of the speeches that have been made. In the first place the noble Lord, Lord Hardinge, seemed to think that it was relevant to my Question that he should set forth what we none of us for the moment disagree with—namely, great loyalty of the Princes, and the admirable character of many of them. We all agree with that, but that was not relevant to my Motion. My Motion was relevant to consideration of the question dealt with by the noble Marquess.

It is obvious that in any constitutional development we shall have to consider the position of the rulers, who number something like six hundred. I ask : Are the Government not prepared with a scheme for dealing with the question ? That is to say, are they not prepared to set up a further body of inquiry ? I do not ask them to consider a scheme immediately. I ask them to set up a tribunal or a Committee for dealing with the matter. The noble Marquess and the noble Viscount said that

was premature. I cannot deny that the noble Viscount has given a very good official answer to me and I should not have expected any other answer ; probably if I had been in his place I should not have made any other answer.

VISCOUNT PEEL : You would have been more careful than I have been.

LORD OLIVIER : I might have had to be more careful. I accept the noble Viscount's official answer and I shall not press for Papers if the House will allow me to withdraw my Motion. The noble Lord, Lord Lamington, made one of my points in his reference to the Harcourt Butler Committee. That Committee does not in the slightest degree have within its terms of reference anything which enables them to deal with the interest of the four hundred odd States. I ask : What means are the Government taking to deal with this question ? With regard to the Committee reference which the noble Viscount was good enough to read to us, it is limited and does not deal with the constitutional questions which arise. I go further and I say that the reference to the Simon Commission also does not deal with any of these questions. There is nothing in the reference to the Simon Commission that would enable us to imagine that any question of the Indian States was at all involved. I must perforce accept the view of the noble Viscount, who agrees with the noble Marquess, Lord Reading, that until the Simon Commission has reported you cannot go into those questions. That is not my own view of what is possible, but I have to accept the statement.

Finally there seems to be some suggestion that I made criticisms of the Indian Princes. The noble Lord, Lord Hardinge, seemed to think I had attacked them. I gave credit, I hope, to what I know of the admirable rule of many of them, though I said, incidentally, that some of them have not been good Rulers. My point was that, generally speaking, they are all absolute monarchs. The noble Marquess and the noble Viscount seemed to approve of absolute monarchy, but personally I do not. I do not think absolute monarchy is a good institution. That was the sole extent of my criticism of the Princes. I now beg leave of the House to withdraw my Motion.

Motion, by leave, withdrawn.

*(Debate of the 20th March 1929 will be given in Vol. II.)*



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